HOUSE OF REPRESENTATIVES—*Thursday, October 25, 1973*

The House met at 12 o'clock noon.

Msgr. John Gannon, St. John's Church, St. John's Rectory, Clinton, Mass., offered the following prayer:

Almighty God, who has given to us countless blessings as a free people, may we gathered here today invoke Thy aid. Thou who has said "by wisdom the house shall be built and by prudence it shall be strengthened, by instruction the storerooms shall be filled with all precious and most beautiful wealth," guide and help us that we, the representatives of a people so act as to deserve the fullness of Thy life.

God, author of all knowledge, guide and strengthen our country by giving to each of us the will to use with zeal the opportunities and the talents to create a better world of peace, justice, and equal opportunities for all.

Jesus of Nazareth, You once said that anyone who wants to be a leader must learn to be everyone's servant. Teach me why the truly great leaders, those who accomplished the greatest good for the largest number of people, were men and women who knew that to lead is to serve. Motivate us to begin leading those we represent by discovering their needs and by striving to help them to live up to their potential. In true humility and spirit guide us through this day knowing that our words, decisions, and verdicts are accountable not alone to the trust of our fellow men but also to the Supreme Lawgiver.

Trusting always in God and with confidence in his aid may this session of the Congress of our country enact legislation to benefit all, to relieve the oppressed, to judge for the fatherless, and to defend the weak in the name of the Father and of the Son and of the Holy Spirit. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MSGR. JOHN F. GANNON

Mr. DONOHUE. Mr. Speaker, today we have been privileged to hear the opening prayer and receive the spiritual guidance of the Reverend Monsignor John F. Gannon, P.A., V.G., pastor of St. John's Catholic Church in Clinton, a community within my home county in Massachusetts.

Monsignor Gannon was born in Worcester, Mass., was graduated from Holy Cross College there in 1930, and was ordained into the priesthood at the American College in Rome, Italy, on December 5, 1933.

His first assignment was as curate at Our Lady of the Rosary Parish in Clinton. At the end of 1 year there, his superiors, because of the exceptionally high qualities of spiritual leadership he had demonstrated, selected him to found and establish the Italian Parish of St. Ann in the city of Leominster, Mass.

In further recognition of his extraordinary priestly dedication and administrative wisdom and energy, Monsignor Gannon was chosen, in 1950, as the first chancellor of the new Catholic Diocese of Worcester. In that same year, he was appointed monsignor papal chamberlain by Pope Pius XII. In 1952, he was appointed domestic prelate and vicar general of the Worcester Diocese. He was elevated to protonotary apostolic in 1960 by Pope John XXIII and was also designated pastor of St. John's Parish in Clinton. Monsignor Gannon currently continues to serve as vicar general of the Worcester Diocese, as well as pastor of St. John's Church.

I am sure that Monsignor Gannon's moving prayer today will inspire us all to continue to exert our fullest individual talents and energies in the patriotic discharge of the tremendous legislative responsibilities that face the Congress in this most critical period of our national and world history.

DALLAS HONORS FORMER CONGRESSMAN EARLE CABELL

(Mr. MILFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILFORD. Mr. Speaker, I would like to make an announcement of an event that many of our Members will be quite interested in. A former Member of this House, Congressman Earle Cabell, of Texas, will be honored by citizens of Dallas tomorrow afternoon on the occasion of his 66th birthday.

Congressman Cabell is now out of the hospital and continues to battle his ailment with the same spirit of determination that you have seen him display on the floor of this House.

If Members would like to send telegrams to this great American citizen and former colleague, you may send your wire to: Congressman Earle Cabell, 610 Noel Page Building, Dallas, Tex. 75206.

His actual birthday party will be held in that building Friday afternoon, October 26, 1973, from 3 to 5 p.m.

Congressman Cabell is being honored by citizens of Dallas for his outstanding service as a leader in business and civic affairs, as former mayor of Dallas, and as an outstanding Member of this House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

October 24, 1973.

Hon. CARL ALBERT,
The Speaker,
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's office at 5:35 p.m. on Wednesday, October 24, 1973, and said to contain H.J. Res. 542, Joint Resolution concerning the war powers of Congress and the President, and a veto message thereon.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

WAR POWERS RESOLUTION—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93–171)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I hereby return without my approval House Joint Resolution 542—the War Powers Resolution. While I am in accord with the desire of the Congress to assert its proper role in the conduct of our foreign affairs, the restrictions which this resolution would impose upon the authority of the President are both unconstitutional and dangerous to the best interests of our Nation.

The proper roles of the Congress and the Executive in the conduct of foreign affairs have been debated since the founding of our country. Only recently, however, has there been a serious challenge to the wisdom of the Founding Fathers in choosing not to draw a precise and detailed line of demarcation between the foreign policy powers of the two branches.

The Founding Fathers understood the impossibility of foreseeing every contingency that might arise in this complex area. They acknowledged the need for flexibility in responding to changing circumstances. They recognized that foreign policy decisions must be made through close cooperation between the two branches and not through rigidly codified procedures.

These principles remain as valid today as they were when our Constitution was written. Yet House Joint Resolution 542 would violate those principles by defining the President's powers in ways which would strictly limit his constitutional authority.

CLEARLY UNCONSTITUTIONAL

House Joint Resolution 542 would attempt to take away, by a mere legislative act, authorities which the President has properly exercised under the Constitution for almost 200 years. One of its provisions would automatically cut off certain authorities after sixty days unless the Congress extended them. Another would allow the Congress to eliminate certain authorities merely by the passage of a concurrent resolution—an ac-

tion which does not normally have the force of law, since it denies the President his constitutional role in approving legislation.

I believe that both these provisions are unconstitutional. The only way in which the constitutional powers of a branch of the Government can be altered is by amending the Constitution—and any attempt to make such alterations by legislation alone is clearly without force.

UNDERMINING OUR FOREIGN POLICY

While I firmly believe that a veto of House Joint Resolution 542 is warranted solely on constitutional grounds, I am also deeply disturbed by the practical consequences of this resolution. For it would seriously undermine this Nation's ability to act decisively and convincingly in times of international crisis. As a result, the confidence of our allies in our ability to assist them could be diminished and the respect of our adversaries for our deterrent posture could decline. A permanent and substantial element of unpredictability would be injected into the world's assessment of American behavior, further increasing the likelihood of miscalculation and war.

If this resolution had been in operation, America's effective response to a variety of challenges in recent years would have been vastly complicated or even made impossible. We may well have been unable to respond in the way we did during the Berlin crisis of 1961, the Cuban missile crisis of 1962, the Congo rescue operation in 1964, and the Jordanian crisis of 1970—to mention just a few examples. In addition, our recent actions to bring about a peaceful settlement of the hostilities in the Middle East would have been seriously impaired if this resolution had been in force.

While all the specific consequences of House Joint Resolution 542 cannot yet be predicted, it is clear that it would undercut the ability of the United States to act as an effective influence for peace. For example, the provision automatically cutting off certain authorities after 60 days unless they are extended by the Congress could work to prolong or intensify a crisis. Until the Congress suspended the deadline, there would be at least a chance of United States withdrawal and an adversary would be tempted therefore to postpone serious negotiations until the 60 days were up. Only after the Congress acted would there be a strong incentive for an adversary to negotiate. In addition, the very existence of a deadline could lead to an escalation of hostilities in order to achieve certain objectives before the 60 days expired.

The measure would jeopardize our role as a force for peace in other ways as well. It would, for example, strike from the President's hand a wide range of important peacekeeping tools by eliminating his ability to exercise quiet diplomacy backed by subtle shifts in our military deployments. It would also cast into doubt authorities which Presidents have used to undertake certain humanitarian relief missions in conflict areas, to protect fishing boats from seizure, to deal with ship or aircraft hijackings, and to respond to threats of attack. Not the least of the adverse consequences of this resolution would be the prohibition contained in section 8 against fulfilling our obligations under the NATO treaty as ratified by the Senate. Finally, since the bill is somewhat vague as to when the 60 day rule would apply, it could lead to extreme confusion and dangerous disagreements concerning the prerogatives of the two branches, seriously damaging our ability to respond to international crises.

FAILURE TO REQUIRE POSITIVE CONGRESSIONAL ACTION

I am particularly disturbed by the fact that certain of the President's constitutional powers as Commander in Chief of the Armed Forces would terminate automatically under this resolution 60 days after they were invoked. No overt Congressional action would be required to cut off these powers—they would disappear automatically unless the Congress extended them. In effect, the Congress is here attempting to increase its policy-making role through a provision which requires it to take absolutely no action at all.

In my view, the proper way for the Congress to make known its will on such foreign policy questions is through a positive action, with full debate on the merits of the issue and with each member taking the responsibility of casting a yes or no vote after considering those merits. The authorization and appropriations process represents one of the ways in which such influence can be exercised. I do not, however, believe that the Congress can responsibly contribute its considered, collective judgment on such grave questions without full debate and without a yes or no note. Yet this is precisely what the joint resolution would allow. It would give every future Congress the ability to handcuff every future President merely by doing nothing and sitting still. In my view, one cannot become a responsible partner unless one is prepared to take responsible action.

STRENGTHENING COOPERATION BETWEEN THE CONGRESS AND THE EXECUTIVE BRANCHES

The responsible and effective exercise of the war powers requires the fullest cooperation between the Congress and the Executive and the prudent fulfillment by each branch of its constitutional responsibilities. House Joint Resolution 542 includes certain constructive measures which would foster this process by enhancing the flow of information from the executive branch to the Congress. Section 3, for example, calls for consultations with the Congress before and during the involvement of the United States forces in hostilities abroad. This provision is consistent with the desire of this Administration for regularized consultations with the Congress in an even wider range of circumstances.

I believe that full and cooperative participation in foreign policy matters by both the executive and the legislative branches could be enhanced by a careful and dispassionate study of their constitutional roles. Helpful proposals for such a study have already been made in the Congress. I would welcome the establishment of a non-partisan commission on the constitutional roles of the Congress and the President in the conduct of foreign affairs. This commission could make a thorough review of the principal constitutional issues in Executive-Congressional relations, including the war powers, the international agreement powers, and the question of Executive privilege, and then submit its recommendations to the President and the Congress. The members of such a commission could be drawn from both parties—and could represent many perspectives including those of the Congress, the executive branch, the legal profession, and the academic community.

This Administration is dedicated to strengthening cooperation between the Congress and the President in the conduct of foreign affairs and to preserving the constitutional prerogatives of both branches of our Government. I know that the Congress shares that goal. A commission on the constitutional roles of the Congress and the President would provide a useful opportunity for both branches to work together toward that common objective.

RICHARD NIXON.

THE WHITE HOUSE, *October 24, 1973.*

The SPEAKER. The objections of the President will be spread at large upon the Journal, and the message and joint resolution will be printed as a House document.

The question is, Will the House, on reconsideration, pass the joint resolution (H.J. Res. 542), the objections of the President to the contrary notwithstanding?

MOTION OFFERED BY MR. O'NEILL

Mr. O'NEILL. Mr. Speaker, I move that further consideration of the veto message from the President on House Joint Resolution 542 be postponed until Thursday, November 1, 1973.

The SPEAKER. The question is on the motion offered by the gentleman from Massachusetts (Mr. O'NEILL).

The motion was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
October 24, 1973.

The Honorable CARL ALBERT,
The Speaker, House of Representatives.

DEAR MR. SPEAKER: On this date I have been served a summons and copy of the complaint in a Civil Action by the United States Marshal that was issued by the U.S. District Court for the District of Columbia. This summons is in connection with Civil Action No. 1872-73, Vladimir A. Zatko vs. The United States of America, The U.S. Congress and Richard Milhous Nixon, The U.S. President assigned to Judge J. Waddy in the U.S. District Court for the District of Columbia.

The Summons requires the Congress of

the United States to answer the complaint within sixty days after service.

The Summons and complaint in question are attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

WASHINGTON, D.C.,
October 24, 1973.

Hon. ROBERT H. BORK,
Acting Attorney General of the United States, Department of Justice, Washington, D.C.

DEAR MR. BORK: I am sending you a certified copy of a summons and complaint in Civil Action No. 1872–73 filed against the United States Congress and others in the United States District Court for the District of Columbia, and served upon me this date by the U.S. Marshal.

In accordance with 2 U.S.C. 118 I have sent a certified copy of the Summons and Complaint in this action to the U.S. Attorney for the District of Columbia requesting that he take appropriate action under the supervision and direction of the Attorney General. I am also sending you a copy of the letter I forwarded this date to the U.S. Attorney.

With kind regards, I am

Sincerely yours,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

WASHINGTON, D.C.,
October 24, 1973.

Hon. HAROLD H. TITUS, Jr.,
U.S. Attorney for the District of Columbia, U.S. Courthouse, Washington, D.C.

DEAR MR. TITUS: I am sending you a certified copy of a summons and complaint in Civil Action No. 1872–73 filed against the United States Congress and others in the United States District Court for the District of Columbia, and served upon me this date by a U.S. Marshal.

In accordance with Title 2, U.S. Code, sec. 118, I respectfully request that you take appropriate action, as deemed necessary, under the "supervision and direction of the Attorney General" of the United States in defense of this suit against the U.S. House of Representatives.

I am also sending you a copy of the letter that I forwarded this date to the Attorney General of the United States.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

[U.S. District Court for the District of Columbia, Civil Action File No. 1872–73]

VLADIMIR A. ZATKO, PLAINTIFF, v. THE UNITED STATES OF AMERICA, THE U.S. CONGRESS, RICHARD MILHOUS NIXON, THE U.S. PRESIDENT, DEFENDANTS.

To the above named Defendant: The U.S. Congress.

You are hereby summoned and required to serve upon plaintiff's P.P., whose address is Vladimir A. Zatko, P.O. Box B–34189, San Quentin State Prison, Tamal, California 94964, an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

JAMES F. DAVEY,
Clerk of Court.
MARY B. DEAVERS,
Deputy Clerk.

Date: October 4, 1973.

APPOINTMENT OF CONFEREES ON S. 386, AMENDING THE URBAN MASS TRANSPORTATION ACT OF 1964

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 386) to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. PATMAN, MINISH, GETTYS, HANLEY, BRASCO, KOCH, COTTER, YOUNG of Georgia, MOAKLEY, BROWN of Michigan, WIDNALL, WILLIAMS, WYLIE, CRANE, and MCKINNEY.

THE VETO OF THE WAR POWERS RESOLUTION

(Mr. ZABLOCKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZABLOCKI. Mr. Speaker, I deeply regret the President's veto of the war powers resolution, House Joint Resolution 542. I am also disappointed by the President's attempted justification of such action.

The President's veto message is filled with vague generalities and unsupported allegations. More dismaying still, the message asserts the continued Presidential supremacy in decisionmaking on war and peace despite some lipservice to the contrary.

When the President states this resolution would seriously undermine "this Nation's ability" to act decisively and convincingly in international crises, does he really mean the whole Nation—including the public and its elected Congress—or the incumbent in the White House?

When he speaks of acting "decisively and convincingly" in international crises, does he have in mind mainly a free hand for the President or, as provided in our constitutional system, shared authority in foreign policy decisions?

Unfortunately, when viewed in the entire context of the message the answers to these questions will not be happy ones for the American people who believe in the constitutional mandate for a balance of powers.

Mr. Speaker, in the brief time I can make only a few initial comments about this unfortunate message:

The assertion that House Joint Resolution 542 would take away "authorities which the President has properly exercised under the Constitution for almost 200 years" is simply not true.

Constitutional lawyers and scholars have testified in favor of this legislation in lengthy hearings. Unfortunately, historically Presidents assumed unto themselves the power to send American forces into combat in foreign lands without proper congressional approval.

The basic fact is that the Constitution assigns to Congress, alone, the power to declare war. It confers authority on the President in this field only as Commander in Chief to execute any hostilities to which Congress may commit the Nation—not to start such hostilities himself.

House Joint Resolution 542 takes no constitutional power away from the President. It only affirms Congress rightful role.

The claim that House Joint Resolution 542 would undermine our foreign policy is totally unsubstantiated.

When the President professes concern about "unpredictability" of American behavior should the resolution become law, I think most Members will agree that recent events have shown that the President is not more predictable.

The allegation that the resolution, if it had been law, would have damaged the American response in a number of crises of recent years—including the current Middle East emergency—is not supported by fact. As a matter of fact, just the opposite is true. This resolution would enable Congress to participate more effectively and intelligently in foreign policy decisions relating to such crises.

Despite what the message contends, the resolution does not fail to require congressional action in an emergency. To the contrary, the resolution carefully provides for a yes-or-no vote under almost any conceivable circumstance in which the provisions of the measure would apply.

If the Congress decides not to approve the commitment of American forces abroad, I cannot agree with the President that this would handcuff him through failure to take positive action. The right for Congress not to declare war is as proper as its equal right to do so.

Lastly, the President suggests a nonpartisan commission to study the constitutional roles of the Congress and the President in foreign affairs and make recommendations. He makes no reference to the special Commission on the Organization of the Government for the Conduct of Foreign Policy, which is already set up and due to report on such matters by June 30, 1975.

As Members are aware, proposing a study commission is a time-honored way of sidetracking an issue. We need no further study now. The legislation before us is the product of 3 years of painstaking deliberation.

Mr. Speaker, the time is nearing for us "to act decisively and convincingly" to restore the responsibility of Congress under the Constitution to share in judgments of war and peace.

The vote to override the President's veto of the war powers resolution is scheduled for November 1, a week from today. I hope Members will take the opportunity in the intervening time to review the hearings and past congressional actions on this historic measure, and then vote overwhelmingly for its enactment into law.

Mr. Speaker, I notice that in one newspaper account today I am quoted as having little hope of an override vote in the House. This is not the case. To the contrary, I wish to point out that in the last two House votes on this bill the number of votes needed for a two-thirds majority has been reduced from 32 to 3.

I have confidence that recent events will add further to the mounting nonpartisan majority in the Congress who will reassert its constitutional authority. I submit this action will renew the faith and trust of the American people in their government.

PERSONAL EXPLANATION

Mr. HENDERSON. Mr. Speaker, on rollcall 546, the call of the House on October 24, 1973, I was in the Chamber, placed my card in the box, but was not recorded.

Had I been recorded, I would have been shown as present for the call of the House.

CELEBRATING NATIONAL SPACE WEEK

(Mr. HANLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANLEY. Mr. Speaker, I would like to bring to the attention of my colleagues that the city council of Oneonta has recently declared and celebrated National Space Week. The city council's action places them alongside the State of New York and over 20 other States that have joined together to celebrate our achievements in exploring outer space. There has been considerable turmoil over the funds we have used to venture into space and some question as to whether or not the money could have been better spent elsewhere. I would like to spend a minute in showing that, although much of the value of our efforts in space is intangible, there are many visible and positive results from our various space programs.

Recently, newspapers have carried probably one of the most exciting and positive results our space research has yet developed. I am referring to the discovery by one of our satellites that a simple barb wire fence may not only stop the Sahara Desert's encroachment into farmland, but may also finally enable man to reclaim the desert and make it livable. The benefits of drought-starved Africa could be enormous.

We should also note that today's technology developed from our space program is helping to prevent crop failures in India, and our satellites are charting ecological damage in America. Satellites are being used to beam television programs halfway around the globe, and the technology developed for use in our space programs promises to lead to breakthroughs in firefighting and medicine. The computer and computer processing industry are direct outgrowths of the NASA space program. The studies of the sun undertaken by the astronauts of Skylab II may help our scientists for ages to come.

I am sure you can all agree that it is fitting to be celebrating our efforts in space and I am sure you join me in congratulating the city council of Oneonta for observing and celebrating our space program.

WE MUST NOT SEND U.S. TROOPS TO MIDDLE EAST

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GONZALEZ. Mr. Speaker, because I fear the temptation to divert from the very embarrassing situation at home that all the alternative possibilities will not be explored, I have sent the following telegram to the President:

Mr. President, I urge that you exhaust every alternative before undertaking any move to send U.S. troops to the Middle East. If both U.S. and Soviet forces are placed in that area the risks of global war will be intolerably high. Considering the instability of the situation I respectfully recommend that you call upon the United Nations to immediately create an international force to police a cease fire in the Middle East. Such a force could protect the interests of all parties without further endangering world peace. Surely the great powers could finance such an international peacekeeping effort while others could furnish the necessary manpower. A mixed force with a mandate from the great powers might yet resolve the crisis and I hope that you will undertake to make the United Nations an effective instrument for stabilizing the situation and reducing the present great danger of armed confrontation between the United States and the Russia Soviet Union.

NECESSARY TO APPOINT A SPECIAL PROSECUTOR TO CONTINUE WATERGATE INVESTIGATION

(Mr. TAYLOR of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAYLOR of North Carolina. Mr. Speaker, today I am joining those who are insisting that a special prosecutor be appointed to continue the Watergate investigations. I have introduced a bill which directs Judge John Sirica to appoint a special prosecutor and I hope that the judge will reappoint Archibald Cox.

It is wrong for the President or any other person to decide who can investigate him and how it shall be done.

The prosecutor must be free to exercise his own judgment and to follow the evidence wherever it leads. In order to reestablish public confidence, it is important that the people know that he has such freedom.

Hopefully either President Nixon or Judge Sirica will take quick action to recreate the special prosecutor's office and the passage of this legislation will not be necessary.

THE LATE HONORABLE DAVID HOGG

(Mr. ROUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROUSH. Mr. Speaker, I rise with regret to announce the death of a former Member of the House of Representatives, David Hogg.

Mr. Hogg passed away last Tuesday evening; he was 86 years of age. He served in the House of Representatives from March 4, 1925, to March 3, 1933. Until his last illness he was active in the practice of law in Fort Wayne, Ind., and commanded great respect from his colleagues because of his keen mind and outstanding ability. He was recognized as a legal advocate and scholar.

Mr. Hogg was born near Crothersville, Jackson County, Ind., August 21, 1886; he attended the common schools, was graduated from Indiana University College of Liberal Arts at Bloomington in 1909, and from the law department of Indiana University in 1912, was admitted to the bar in 1913 and commenced practice in Fort Wayne, Ind.

He was active in the affairs of the Republican Party; served as chairman of the Allen County Republican Committee 1922–24. Mr. Hogg was a dedicated church layman and devoted much of his time and energies to the work of his church.

Mr. Speaker, I had great personal admiration for Mr. Hogg. He was a man of great integrity and a pillar of strength in his profession, in his church, and in his community. I wish to extend my own heartfelt condolences to his widow, Mildred. May God sustain her in this hour of sorrow.

REFERRAL OF BILLS ON WATERGATE-RELATED MATTERS TO SUBCOMMITTEE ON CRIMINAL JUSTICE

(Mr. HUNGATE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. HUNGATE. Mr. Speaker, various bills relating to the creation of a special independent prosecutor and extension of the grand jury term for Watergate and Watergate-related matters have been referred to the Subcommittee on Criminal Justice of the Committee on the Judiciary.

Hearings are beginning Monday. Further announcements will be made later today after the subcommittee meets to consider appropriate procedures to follow.

IMPEACHMENT RESOLUTION

(Mr. RIEGLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIEGLE. Mr. Speaker, I rise to say that I am today filing a formal resolution of Presidential impeachment. The bill of particulars covers five specific criminal violations. I hope and expect that the Committee on the Judiciary will carefully examine each item.

It is also my intention to later file a further article to this bill of particulars

on another matter, namely, criminal violations in the manipulation of milk price supports in exchange for campaign contributions.

As I have said before, there can be only one set of laws in America, and they must apply equally to all of us. A President who violates the law must be removed from office. There is no other recourse.

PERMANENT DAYLIGHT SAVING TIME

(Mr. HANRAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANRAHAN. Mr. Speaker, for many years now, Americans have dutifully switched their clocks forward and backward in spring and fall—on and off daylight saving time, never questioning the wisdom behind continuing this practice. Now it appears to me that it is in the national interests to establish a permanent daylight saving time, for several reasons:

First, it has been clearly demonstrated that automobile drivers are more tired, less alert, and more often under the influence of alcohol during evening rush hours than morning rush hours—why compound that problem with darkness? Great Britain has experienced a 3.2-percent decrease in traffic fatalities since establishing permanent daylight saving time.

Second, research studies indicate that America's crime rate may be reduced by the established of year-round daylight saving time.

And finally, and most importantly, our Nation is now in the midst of a serious energy crisis which is expected to get worse, unless we citizens learn to conserve our precious, limited supply of fuel. Studies indicate that the establishment of a year-round daylight saving time would reduce America's fuel consumption by a minimum of 2 percent. While that figure may sound relatively insignificant, in actuality we are talking about at least 30,000 barrels of oil a day. It is the many small steps such as these which we can take, that will add up in the long run to sizable savings in fuel consumption.

I think this practical means of conserving our limited amounts of fuel should be implemented immediately. If Congress can expeditiously provide for the elimination of TV blackouts of football games, it can expeditiously serve the Nation's best interests by establishing year-round daylight saving time. For this reason, I ask my colleagues support of legislation I am today introducing to extend daylight saving time to the entire calendar year.

CONSUMERS-FARMERS EXPECT MEAT PRICE REDUCTION

(Mr. ZWACH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZWACH. Mr. Speaker, on October 12, Secretary of Agriculture Butz told the National Association of Food Chains that supermarkets have fattened their profit margins instead of cutting their retail prices on beef and pork.

Secretary Butz concluded that consumers and producers alike expect that every cent less the producer receives on his cattle and hogs should be realized and passed on in retail savings on beef and pork to consumers.

I agree with the Secretary. To date we have seen little or no reduction in supermarket prices since the going rate to producers has dropped about one-third.

Back on August 14 live cattle prices reached $57.50 per hundred pounds at south St. Paul. Yesterday the prices had dropped to $40.75 per hundred pounds, a decline of $16.75 in 2 months.

Also on August 14, live hog prices reached $61.50 per hundred pounds. Yesterday the price had dropped to $44 per hundred pounds, a decline of $17.50 in 2 months.

Yet the retail prices on beef and pork have not receded proportionally. I think it is time for prices paid by consumers to reflect the decrease in price received by producers. After all, when supermarket prices rose because of increased prices to producers, consumers screamed bloody murder. Now wholesale prices are down on beef and hogs, but supermarket prices remain high.

Is the farmer to blame for this? I say no. I say it is time to look to the middleman, the processor, the transportation firms, and the supermarket ownership and management for some of the answers for the increase in supermarket prices. I contend, as Secretary Butz contends, that the farmer is not to blame for the continued high prices of beef and pork in the local supermarkets.

U.S. TROOPS MUST NOT BE COMMITTED IN THE MIDEAST WITHOUT CONGRESSIONAL AUTHORIZATION

(Mr. SCHERLE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. SCHERLE. Mr. Speaker, today I have introduced the following resolution:

RESOLUTION

Resolved, That it is the sense of the House of Representatives that United States combat troops not be introduced, committed, or involved, in any way or manner, directly or indirectly, in the present armed conflict in the Middle East without prior Congressional authorization.

The purpose of this resolution is to prevent the Congress from passing another Gulf of Tonkin resolution which would give the executive branch blanket authority to engage in the Mideast conflict to whatever extent they feel necessary. If we learned one thing from the Vietnam conflict it is that any commitment of American manpower should be carefully reviewed by the Congress. It is imperative that the United States continue to supply assistance to Israel—short of manpower—at the same level that the Russians are aiding the Arabs nations. Americans hope for a quick cessation of hostility in that area of the world.

THE UNITED STATES WILL STAND BY COMMITMENTS

(Mr. PEYSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEYSER. Mr. Speaker, I am deeply disturbed by today's announcement of the potential movement of Russian forces to the Middle East.

We in Congress have recently had many discussions about domestic situations affecting congressional and Presidential prerogatives. But I think it important at this point that we reassure the world that Americans do have direction, that we do have purpose, and that we will stand by our commitments around the world.

I am confident that in spite of developments of recent days that the executive and the legislative branches of our Government will work closely together to protect our national interests and security.

Mr. Speaker, we are a strong and proud Nation that believes in peace and in justice. Let no nation of the world sell the United States short on courage or resolve.

INTERFERENCE WITH LEGISLATIVE RESPONSIBILITY OF JUDICIARY COMMITTEE

(Mr. RAILSBACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAILSBACK. Mr. Speaker, I have had the privilege of serving on the House Judiciary Committee since being elected to Congress in 1966 and have always been impressed with the cooperation and impartiality of the members of the committee in working for constructive and meaningful legislation. This year, it seems to me, we have not been very productive and it is becoming more and more apparent that we are losing some of the bipartisan cooperation.

We have much unfinished business, including the confirmation hearings on GERALD FORD, revision of the Criminal Code, parole reform, rules of evidence, death penalty legislation, copyright revision, newsmen's privilege, and many other important matters.

Now we are told, via the press, that the House Judiciary Committee is going to begin a "broad scale" investigation into "Watergate related" matters and other matters concerning the "President's conduct." All of these things were done, as far as I know, without consultation with the minority members of the Judiciary Committee and in some cases, I suspect, without authorization by the committee.

If the Judiciary Committee is to regain its rightful position as an effective legislative body then there has to be cooperation, there have to be priorities established, and there have to be ground rules set. I am particularly troubled by reports that the chairman seeks subpena power for himself. The demonstrated lack of communication on the Judiciary Committee makes it imperative that the full committee act as a collegial body in exercising its subpena power and not

grant a special authority to a single individual.

The procedures outlined by the chairman could result in an unparalleled fishing expedition and seriously interfere with our designated legislative responsibility.

CONGRESSMAN WHALEN INTRODUCES SPECIAL PROSECUTOR'S BILL

(Mr. WHALEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

Mr. WHALEN. Mr. Speaker, I today have introduced a bill to establish a special independent Watergate prosecutor under the judicial branch of Government.

Appointment authority would be in the hands of the chief judge of the U.S. District Court for the District of Columbia, who presently is John Sirica.

My intent in proposing this legislation is to provide for a continuation of the undertaking initiated by former special prosecutor Archibald Cox but to create that office outside of the Executive branch. Over the weekend, I indicated my intention to seek support for special prosecutor legislation which House Judiciary Chairman RODINO and I sponsored earlier this year. That proposal, however, provided for the President to name the special prosecutor, which, under the present circumstances, makes the bill unsuitable.

THE CASE OF EITON FINKELSTEIN

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, emigration from the Soviet Union is not free. The Soviet Jews are especially victimized by the harsh emigration practices of the Soviet passport office.

Eiton Finkelstein, a former physics graduate student from Vilna, Lithuania, is one of these victims. In 1967 Finkelstein applied for and was denied an emigration permit to Israel. This action resulted in his expulsion from the Moscow Physics-Technical Institute. Employment in his field was barred to him, and he now does unskilled work in a metal crafts factory.

The passport office keeps denying him permission on the ground that he is in possession of "secret information" because of his graduate work. But Finkelstein has not attended the institute in 5 years, and denying him a visa on security grounds is no longer applicable.

He is being subjected to harassment by the KGB, the Soviet Secret Police, in order to discourage others from applying for emigration permits. His friends fear that he will soon meet the fate of other activists and that he will be imprisoned.

Although he has been denied a visa about 20 times, Finkelstein's determination to emigrate to Israel remains undiminished, for with the extinction of Jewish cultural and educational institutions, and with only a token number of synagogues open, he sees no future for the Jewish people in the Soviet Union.

Mr. Speaker, nations that seek trading relations with us should adhere to a principle enunciated in the Universal Declaration of Human Rights; namely, the right of free emigration. It is therefore incumbent upon this Congress to stand behind the Mills-Vanik amendment.

VICE PRESIDENCY SHOULD BE FILLED TO REMOVE CONFLICT OF INTEREST

(Mr. SHUSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHUSTER. Mr. Speaker, I most respectfully suggest that if the impeachment question which is being discussed were viewed as part of the judicial process, participants with a conflict of interest would disqualify themselves from participation.

I believe it follows that so long as there is no Vice President the Members of the majority party have an obvious conflict of interest in that their party stands to gain the Presidency if our present President is removed.

If the Members of the majority party put their country above politics, as I believe the vast majority of them do, they will move expeditiously to fill the Vice Presidency and thereby remove an obvious conflict of interest.

ALERT FOR MILITARY DRAMATICALLY ILLUSTRATES NEED FOR WAR POWERS BILL

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINDLEY. Mr. Speaker, I want to express my agreement with the remarks made by my colleague, the gentleman from Wisconsin (Mr. ZABLOCKI) expressing his regret that the President did see fit to veto the war powers bill. It is one of the ironic twists of history that on the very same day the American people received news that some of our forces have been placed on alert over the Middle East crisis they would also receive news that the President had seen fit to veto the war powers bill.

The events of recent days I think illustrate dramatically the need for Congress to put on the statute books this very carefully constructed war powers bill and I hope when the day comes my colleagues will join me to override the veto.

EMERGENCY MEDICAL SERVICES SYSTEM ACT OF 1973

Mr. LONG of Louisiana. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 655 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 655

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10956), the Emergency Medical Services Systems Act of 1973. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 10956, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill, S. 2410, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 10956 as passed by the House.

The SPEAKER. The gentleman from Louisiana is recognized for 1 hour.

Mr. LONG of Louisiana. Mr. Speaker, I yield the usual 30 minutes to the minority to the distinguished gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. LONG of Louisiana. Mr. Speaker, House Resolution 655 provides for an open rule with 1 hour of general debate on H.R. 10956, a bill to create the Emergency Medical Services Systems Act of 1973.

House Resolution 655 also provides that it shall be in order to move to strike out all after the enacting clause of S. 2410 and insert in lieu thereof the provisions contained in H.R. 10956 as passed by the House.

Mr. Speaker, H.R. 10956 proposes to create new authority under the Public Health Service Act for the development and improvement of emergency medical services.

This measure is identical to S. 504 which was passed by Congress in July of this year and vetoed by the President on August 2, 1973, except that it does not contain the provision relating to the continued operation of the public health service hospitals. The hospital provision has since been incorporated into another bill and the conference report containing this matter is expected to come back to the House floor soon.

The estimated cost of this bill is $185 million over a 3-year period. It authorizes grants and contracts for feasibility studies, planning, establishment, operation, and expansion of emergency medical systems as well as research and training to save lives.

Mr. Speaker, this bill can help to save thousands of lives each year so I urge adoption of House Resolution 655 in order that we may discuss and debate H.R. 10956.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 655

provides for the consideration of H.R. 10956, the Emergency Medical Services Systems Act of 1973. This is an open rule with 1 hour of general debate. In addition, the rule makes it in order to insert the House-passed language in the Senate bill, S. 2410.

The primary purpose of H.R. 10956 is to provide new authority for the support of emergency medical services.

This bill is identical to the emergency medical services bill vetoed by the President earlier this year, except that it does not contain the provisons relating to the continued operation of the Public Health Service hospitals.

This bill authorizes programs of grants and contracts for planning, establishment and expansion of emergency medical systems. It provides funds for research and training. This bill also provides that there be established an Interagency Committee on Emergency Medical Services.

The total cost of his bill is estimated at $185,000,000.

Mr. Speaker, I urge the adoption of the rule so the bill may be acted upon.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Speaker, the bill we are considering, H.R. 10956, The Emergency Medical Services Systems Act of 1973, is a truly significant piece of legislation. It would assist communities throughout the Nation to develop and improve their emergency medical services systems. In so doing, the bill would contribute directly to saving tens of thousands of lives each year.

There is, however, one serious shortcoming in this bill. It does not provide enough assistance directed specifically to rural areas. In 1972 twice as many people died from accidental deaths in rural areas as did in urban and suburban areas. This is particularly telling when one considers that only 25 percent of the Nation's people live and work in our rural areas. It leads one to the very obvious conclusion that the emergency systems in rural communities are not able to keep pace with their area needs.

For this reason, with the approval of the distinguished gentleman from Kansas (Mr. ROY), I am offering amendments to H.R. 10956 which would assure more assistance to the needy rural areas.

I should very quickly note that these provisions would in no way change the structure of the program authorized by this bill. The dollar level will stay exactly the same—$185 million over the next 3 years.

It is also important to note that the Senate adopted a similar set of amendments for its emergency medical services bill.

The first of these amendments would allow the Federal Government to pick up 75 percent of the cost of improving or expanding emergency medical services systems in needy areas. As the bill is presently written, no area can receive more than 50 percent Federal funding for these purposes. Such a limitation may be well for most areas of the Nation, but it would work a very real hardship on many of our poorer rural localities. These areas would find it difficult, if not impossible, to pay half the cost of purchasing sophisticated equipment and implementing up-to-date systems.

The second amendment would simply assure that there will be at least some funding priority given to research projects dealing with rural emergency services. Certainly the entire emergency medical services field is ripe for innovative research, but the problems of rural America are particularly acute. Funding priority for this research specialty would provide a much needed boost for these worthwhile efforts.

The third amendment in which Dr. ROY of Kansas and I concur would increase the rural set-aside from 15 percent, as it now appears in the bill, to 20 percent.

As I have already indicated, a greatly disproportionate share of accidental deaths occur in rural America. Distances between facilities are great and manpower is in short supply in these areas. Furthermore, rural communities generally have little in the way of financial resources with which to initiate needed improvements.

Therefore, Mr. Speaker, I strongly support H.R. 10956 with the amendments the gentleman from Kansas and I have agreed upon.

Mr. ROY. Mr. Speaker, will the gentleman yield?

Mr. CARTER. I am happy to yield to the distinguished gentleman.

Mr. ROY. I think my colleague from Kentucky with whom I have worked closely on the emergency medical services bill and on the amendments he so carefully explained. I want to emphasize, with him, the need for emergency medical services in rural areas.

Deaths due to accidents in rural areas have been reduced in recent years as a result of greater concern for safe living and working conditions and by improvements in emergency health services. Farming, however, remains the third most perilous occupation. Automobile accidents that occur in rural areas are more often fatal than those that occur in urban areas. In rural North Dakota, fatal accidents occur at a rate of 63.4 per 100,000 people and in Mississippi it ran 70.1 per 100,000 people. By comparison, urban States, such as New York and Massachusetts, have rates of 41.8 and 41.7 per 100,000 people.

So we can see that accidents do occur more often, and are more frequently fatal, in rural areas. Adequate emergency medical services would serve to improve this situation markedly.

In addition, 34.8 percent of the Nation's population live in nonmetropolitan areas and they receive much less than that proportion of funds from HEW for support of medical programs and services.

For example, less than 10 percent of all health research and development program dollars went to nonmetropolitan areas in fiscal year 1970.

The SPEAKER. The time of the gentleman has expired.

Mr. QUILLEN. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. CARTER. Mr. Speaker, I yield further to the gentleman from Kansas.

Mr. ROY. Thank you. Approximately 15 to 20 percent of the comprehensive health planning money goes to nonmetropolitan areas.

About one-eighth of total regional medical programs spending is in nonmetropolitan areas.

In view of this record, I think it is obviously necessary that we place a minimum on the amount of emergency medical services money to be spent in rural areas.

I am very happy to support the amendment of the gentleman from Kentucky (Mr. CARTER) to do that. I appreciate his support on the amendment to go to 75 percent of the grants for rural areas to instruct the Secretary to give special consideration to applications for grants or contracts for research relating to the delivery of emergency medical services in rural areas.

I thank the gentleman for yielding.

Mr. CARTER. I was happy to yield to the gentleman.

Certainly it is a pleasure to work with him on the Subcommittee on Public Health and Environment.

Mr. QUILLEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. BROYHILL).

(By unanimous consent, Mr. BROYHILL of Virginia was allowed to speak out of order.)

A TIME FOR FORTHRIGHT ACTION IS AT HAND

Mr. BROYHILL of Virginia. Mr. Speaker, the definitive decision in the long controversy over Watergate, special prosecutors, and White House tapes came not from the Supreme Court nor from a committee of Congress but from the American people, including those in the 10th District of Virginia I have the honor to represent.

It was a voice of citizen concern for their country, a collective voice that was heard loud and clear in the Halls of Congress, the corridors of Justice, and the Oval Room at the White House.

I am proud of those who raised their voices and cast their ballot on behalf of a troubled nation. It came at the right time in the right way from reasonable men and women, not in a rage or rebellion but with the solemn conviction that all facts, all truths, all injustices must be laid on the table in final adjudication.

It is my belief that the Congress, the courts, and the Executive will now proceed to examine without prejudgment, free of the prejudice of political bias, and news media hysteria, every facet of the Watergate and related affairs, however long and tedious the task.

As a Member of Congress, I understand President Nixon's concern for the confidentiality involved in affairs of state. Initially, I supported the President's position on the confidentiality of the conversations that took place in the privacy of his office.

I have had literally thousands of conversations with and tens of thousands of letters from those I have represented

during my 21 years of service of a highly personal nature, involving their marital, health, family, employment, retirement, and their political problems and I have respected those confidences as they expected I would.

I honor the President's anxiety over the same issue and I share his convictions that out of the chaos of today the concern of tomorrow must not be neglected.

Our Founding Fathers, as I read the Constitution of the United States, gave no authority to a committee of Congress, nor a single Member thereof to force the executive branch into acts detrimental to national security and well-being. Nor does the Constitution allocate such powers to a single Federal judge, however lofty, his legal apprehension.

We have a tripartite government and all issues of vital concern to the Nation must be sifted through the constitutional thicket, however befuddling the maze, if the Republic is to function as it has for almost 200 years.

We do not have a fourth branch of Government, only three, and none of these include the mass media, political organizations, nor organized pressure groups.

Nonetheless, the American people have emphasized the fact, by their response, that they want extraordinary measures to be taken in this case, even though it means a temporary abandonment of the principle of confidentiality of the oval office of the President insofar as the Watergate affair is concerned. This is the only way this response can be interpreted. Therefore, the President, the Congress, and the courts must comply with the people's decision.

I believe there is a cleared path to the truth we seek. It is readily apparent the American people want a special prosecutor to get at the full facts in this whole affair. If there is to be another one and I think there should be, his role should be most clearly delineated and his ultimate responsibility must be to the American people.

All three branches of Government may have made mistakes in trying to get at the truth of Watergate. If so they must now tread with precision into the morass of misdeeds, real or imagined, if the voice from the American people is to be answered with honor, as it must be.

We are a Nation of new beginnings. We are a people of deep understanding and compassion for the mistakes of men, both those who govern and those who are governed. Now more than ever, we must test that compassion with precision, justice, and fairness. The time of political and press hysteria has ended. The time for hard decisions and forthright congressional and judicial action is at hand.

I am convinced the President understands this; I am convinced the Congress understands; I am convinced our courts will respond to this.

I believe the talk of impeachment has encouraged prejudice and political rabble-rousing. I believe it should be held in abeyance until the legally constituted arms of our democracy have had time to comply with the decision of the American people, without interference, cover-up, or fear of the truth.

The American people have had the courage to speak collectively across this land. The challenge for the truth, lies now in the hands of those who govern. It is a challenge that stretches across political partisanship, the public survival of any officeholder, and of every level of business or industry. The President's action in turning over the tapes to the court is proof he, too, holds this conviction.

No man is above the law. Each man has a right to test the law as he sees fit, within the framework provided by the system of government available to all. Each should have the right to bring that test to the bar of justice, free from preconviction allegations outside the realm of justice, and with every protection provided by our judicial system including the rights of the President of the United States.

This, I believe, is what the American people have cried out for; this, I believe, is what the American people justly deserve in their concern for their future; this is what I stand for and have spoken out for.

I believe we are on our way to securing it, and will do so in protection of our national interest and the orderly process of government.

Mr. QUILLEN. Mr. Speaker, I have one more request for time, and I yield 3 minutes to the distinguished gentleman from Minnesota (Mr. NELSEN).

Mr. NELSEN. Mr. Speaker, I will be brief in my remarks, as this is the second time in but a few weeks that we are considering emergency medical services legislation.

The bill before us represents, word for word, the finished product of the House—Senate conference committee on the preceding emergency medical services measure. There is, however, one critical distinction—this bill contains no amendment relating to the Public Health Service hospitals.

It was the inclusion of the PHS hospital provision which compelled me to vote against the original bill. Without that amendment, I am now able to give, as I indicated I would, my full support to this bill, H.R. 10956.

The measure now under consideration would provide assistance to qualifying governmental and not-for-profit entities to plan and develop comprehensive emergency medical services. Funds are also available to assist currently functioning systems to expand and improve their services.

In assuring the availability of adequate emergency services it is not enough to provide for ambulances and drivers alone. Certainly these are important commodities, but they are only the very basic roots of an effective system. Ambulances are of no use if there are no staffs to man them. These staffs should be ready to serve the emergency victim any time of the day or night. Emergency situations do not occure on a convenient 9 to 5 schedule, 5 days a week. They can happen any time, and usually seem to happen at the least convenient times.

Our bill requires that grantee systems maintain adequate vehicles and always-ready, well-trained staffs to man those vehicles.

There are several other requirements, or mandatory goals set forth in the bill. Some of these deal with communications, emergency room availability, development of an areawide disaster plan and proper coordination with neighboring systems.

In all honesty, this very extensive list of requirements caused me some concern. In certain areas of our country it will not be easy to satisfy each and every one of these items. For this reason we have given the Secretary of HEW authority to extend the time period in which a locality must comply with difficult requirements. If, after a proper showing, the Secretary determines that it is absolutely impossible for a locality to meet a certain provision, he may approve a reasonable, workable alternative for that area.

I am confident now that this program, if properly administered, should not exclude any area because of a lack of ability to achieve certain highly sophisticated objectives.

The bill also provide a 15-percent set-aside for rural areas. This, I want to strongly emphasize, is only a minimum figure. Two-thirds of the accidental deaths which occur in this country are in the rural areas. Considering that only 25 percent of our population lives in these areas, and that less than half of the accidents occur there, this alarming two-thirds death figure makes it apparent that rural emergency services are, by far, the least adequate. This situation is compounded by a shortage of skilled planning and medical personnel in these areas. I would hope that rural America is not made a poor sister in this program. Adequate funds and technical assistance must be made available to rural localities if this program is to effectively deal with our Nation's most needy areas.

I would ask my colleagues to note that what we have employed in this legislation is a seed money approach. We do not intend to have the Federal Government replace local governments in accepting prime responsibility for financing and operating emergency medical services systems. This is now, and shall remain, a proper function for the local communities. We are merely providing seed money to get these smaller units of government over the hump toward developing truly superior emergency medical services programs.

Mr. Speaker, this is an important, life-saving program and I urge my colleagues to support it.

Mr. LONG of Louisiana. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. CHARLES H. WILSON of California. Mr. Speaker, I object to the vote on the ground that a quorum is not pres-

ent and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 380, nays 2, not voting 52, as follows:

[Roll No. 551]

YEAS—380

Abdnor	Dellenback	Hutchinson
Abzug	Dellums	Ichord
Adams	Denholm	Jarman
Addabbo	Dennis	Johnson, Calif.
Alexander	Dent	Johnson, Pa.
Anderson, Calif.	Devine	Jones, Ala.
	Dickinson	Jones, N.C.
Anderson, Ill.	Diggs	Jones, Okla.
Andrews, N.C.	Donohue	Jones, Tenn.
Andrews, N. Dak.	Downing	Jordan
	Drinan	Karth
Annunzio	Dulski	Kastenmeier
Archer	Duncan	Kazen
Arends	du Pont	Keating
Armstrong	Eckhardt	Kemp
Ashbrook	Edwards, Ala.	King
Badillo	Edwards, Calif.	Kluczynski
Baker	Eilberg	Koch
Barrett	Erlenborn	Kuykendall
Bauman	Esch	Kyros
Beard	Eshleman	Landrum
Bell	Evans, Colo.	Latta
Bennett	Evins, Tenn.	Leggett
Bergland	Fascell	Lehman
Bevill	Findley	Lent
Biaggi	Fish	Litton
Biester	Fisher	Long, La.
Bingham	Flood	Long, Md.
Boggs	Flowers	Lott
Bolling	Flynt	Lujan
Bowen	Foley	McClory
Brademas	Ford, Gerald R.	McCloskey
Bray	Ford, William D.	McCollister
Breaux		McCormack
Breckinridge	Forsythe	McDade
Brinkley	Fountain	McEwen
Brooks	Fraser	McFall
Broomfield	Frelinghuysen	McKay
Brotzman	Frenzel	McKinney
Brown, Calif.	Frey	McSpadden
Brown, Mich.	Froehlich	Madden
Broyhill, N.C.	Fulton	Madigan
Broyhill, Va.	Fuqua	Mahon
Burgener	Gaydos	Mallary
Burke, Calif.	Giaimo	Mann
Burke, Mass.	Gibbons	Maraziti
Burleson, Tex.	Gilman	Martin, Nebr.
Burlison, Mo.	Ginn	Martin, N.C.
Butler	Gonzalez	Mathias, Calif.
Byron	Goodling	Mathis, Ga.
Camp	Grasso	Matsunaga
Carey, N.Y.	Green, Pa.	Mayne
Carney, Ohio	Griffiths	Mazzoli
Carter	Gross	Meeds
Casey, Tex.	Gubser	Melcher
Cederberg	Gude	Metcalfe
Chamberlain	Gunter	Mezvinsky
Chappell	Guyer	Michel
Chisholm	Haley	Milford
Clancy	Hamilton	Miller
Clark	Hammer-schmidt	Minish
Clausen, Don H.		Mink
	Hanley	Minshall, Ohio
Clay	Hanna	Mitchell, Md.
Cleveland	Hanrahan	Mitchell, N.Y.
Cochran	Hansen, Idaho	Mizell
Cohen	Harsha	Moakley
Collier	Hays	Mollohan
Collins, Ill.	Hébert	Montgomery
Conable	Hechler, W. Va.	Moorhead, Calif.
Conte	Heckler, Mass.	
Corman	Heinz	Morgan
Cotter	Helstoski	Murphy, Ill.
Coughlin	Henderson	Murphy, N.Y.
Crane	Hicks	Natcher
Cronin	Hillis	Nedzi
Culver	Hinshaw	Nelsen
Daniel, Dan	Hogan	Nichols
Daniel, Robert W., Jr.	Holifield	Nix
	Holt	Obey
Daniels, Dominick V.	Holtzman	O'Brien
	Horton	O'Hara
Danielson	Hosmer	O'Neill
Davis, Ga.	Howard	Owens
Davis, S.C.	Huber	Parris
Davis, Wis.	Hudnut	Passman
de la Garza	Hungate	Patman
Delaney	Hunt	Patten
Pepper	Sarasin	Tiernan
Perkins	Sarbanes	Towell, Nev.
Pettis	Satterfield	Treen
Peyser	Scherle	Udall
Pickle	Schneebeli	Ullman
Pike	Schroeder	Vander Jagt
Poage	Sebelius	Vanik
Podell	Shipley	Veysey
Powell, Ohio	Shoup	Vigorito
Preyer	Shuster	Waggonner
Price, Ill.	Sikes	Walsh
Price, Tex.	Skubitz	Wampler
Pritchard	Smith, Iowa	Ware
Quie	Smith, N.Y.	Whalen
Quillen	Snyder	White
Railsback	Spence	Whitehurst
Randall	Staggers	Whitten
Rangel	Stanton, J. William	Widnall
Rarick		Wiggins
Regula	Stanton, James V.	Williams
Reuss		Wilson, Bob
Rhodes	Stark	Wilson, Charles H., Calif.
Rinaldo	Steed	
Roberts	Steelman	
Robinson, Va.	Steiger, Ariz.	Wilson, Charles, Tex.
Robison, N.Y.	Steiger, Wis.	
Rodino	Stephens	Winn
Roe	Stokes	Wolff
Rogers	Stratton	Wyatt
Roncalio, Wyo.	Stubblefield	Wydler
Roncallo, N.Y.	Stuckey	Wylie
Rooney, N.Y.	Studds	Wyman
Rooney, Pa.	Sullivan	Yates
Rose	Symington	Yatron
Rosenthal	Symms	Young, Alaska
Rostenkowski	Talcott	Young, Fla.
Roush	Taylor, Mo.	Young, Ga.
Rousselot	Taylor, N.C.	Young, Ill.
Roy	Teague, Calif.	Young, S.C.
Roybal	Thompson, N.J.	Young, Tex.
Runnels	Thomson, Wis.	Zablocki
Ruppe	Thone	Zion
Ruth	Thornton	Zwach

NAYS—2

Collins, Tex. Landgrebe

NOT VOTING—52

Ashley	Goldwater	Rees
Aspin	Gray	Reid
Bafalis	Green, Oreg.	Riegle
Blackburn	Grover	Ryan
Blatnik	Hansen, Wash.	St Germain
Boland	Harrington	Sandman
Brasco	Harvey	Saylor
Brown, Ohio	Hastings	Seiberling
Buchanan	Hawkins	Shriver
Burke, Fla.	Johnson, Colo.	Sisk
Burton	Ketchum	Slack
Clawson, Del	Macdonald	Steele
Conlan	Mailliard	Teague, Tex.
Conyers	Mills, Ark.	Van Deerlin
Derwinski	Moorhead, Pa.	Waldie
Dingell	Mosher	Wright
Dorn	Moss	
Gettys	Myers	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Brasco with Mr. Shriver.
Mr. Gray with Mr. Myers.
Mr. Sisk with Mr. Saylor.
Mr. Teague of Texas with Mr. Mosher.
Mr. Blatnik with Mr. Mailliard.
Mr. Boland with Mr. Burke of Florida.
Mrs. Green of Oregon with Mr. Del Clawson.
Mrs. Hansen of Washington with Mr. Buchanan.
Mr. Reid with Mr. Derwinski.
Mr. St Germain with Mr. Bafalis.
Mr. Van Deerlin with Mr. Harvey.
Mr. Moorhead of Pennsylvania with Mr. Conlan.
Mr. Dingell with Mr. Blackburn.
Mr. Moss with Mr. Brown of Ohio.
Mr. Gettys with Mr. Goldwater.
Mr. Burton with Mr. Grover.
Mr. Riegle with Mr. Conyers.
Mr. Waldie with Mr. Hastings.
Mr. Mills of Arkansas with Mr. Sandman.
Mr. Dorn with Mr. Steele.
Mr. Hawkins with Mr. Ryan.
Mr. Ashley with Mr. Aspin.
Mr. Harrington with Mr. Rees.
Mr. Macdonald with Mr. Slack.
Mr. Wright with Mr. Seiberling.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10956) Emergency Medical Services Systems Act of 1973.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10956, with Mr. MATSUNAGA in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Minnesota (Mr. NELSEN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I rise in support of H.R. 10956 a bill to give the Secretary of the Department of Health, Education, and Welfare new authority to support the development and expansion of emergncy medical services.

This legislation is by now familiar to all of you. H.R. 10956 is identical to the conference report on emergency medical services vetoed earlier by the President, except that the provisions dealing with the U.S. Public Health Service hospitals have been omitted. The legislation would, in summary, create new authority under the Public Health Service Act for assistance by the Secretary of Health, Education, and Welfare in the development and improvement of emergency medical services. Specifically, the bill:

First. Defines "emergency medical service systems" and specific requirements for such systems which applicants for assistance must meet to qualify for grants or contracts.

Second. Authorizes programs of grants and contracts for feasibility studies and planning establishment and initial operation, and expansion and improvement of emergency medical services systems.

Third. Authorizes programs of grants and contracts for research and training in emergency medical services; and

Fourth. Requires that these programs be administered through an identifiable administrative unit, that there be estab-emergency medical services, that an annual report be submitted to the Congress on the programs, and that a report be submitted to the Congress 1 year after enactment on legal barriers to the effective delivery of emergency medical services. The total cost over the next 3 years would be $185 million.

While you all know how much this legislation is needed, I would like to remind you of the need for this legislation with a few facts:

Our committee found in its hearings that one of the most visible and unnecessary parts of our country's health care crisis is the present deplorable way in which we care for medical emergencies: 55,000 people die every year in automobile accidents; 16,000 children die every year in accidents; 275,000 people die every year from heart attacks before they reach the hospital. Our committee believes that as many as 35,000 of these deaths could be prevented by adequate, effective emergency medical services. In addition untold injury and unnumbered dollars could be saved by these same services.

Experts have estimated, for instance, that the cost of accidental death, disability, and property damage is $28 billion a year. This is good legislation. This is legislation to which essentially all Members of the House have already committed their support. This is legislation which will save American lives. Therefore, I urge its adoption.

We have two eminent doctors on our committee and we are very fortunate in having both of them and I congratulate both of them. I understand that today they will offer three amendments which will be helpful to the rural areas of America. I believe when the amendments are explained to the committee that everyone will be in favor of them. They will give just a little bit more attention to the rural areas and do it without changing the amount of money in any way.

At this point I congratulate every member of the Public Health and Environment Subcommittee not only for the work they have done on this bill but also for the work they have done throughout the year.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Chairman, I commend the able chairman, the gentleman from West Virginia and the members of the committee for this bill.

I want to ask the gentleman about one possibility. The city of Miami Beach, which is in my district, is spending about $300,000 a year keeping a number of emergency vehicles at the fire stations on the beach, fully equipped for emergency care for people who have acute illness. Each of these vehicles has a doctor in attendance in constant readiness to go with that vehicle to any emergency that might be occurring. Representatives of that group came here the other day to see me to determine whether or not that kind of thing, which they say has saved many lives already and within 2 minutes can get to any place on the beach with a doctor, might be helped by this bill, as well as others who have such systems for saving the lives of people. Is there any likelihood or possibility of that kind of program receiving assistance under this act?

Mr. STAGGERS. Yes, there is. It is temporary help, as all of the bill is. We do not plan to subsidize this program forever. We are just trying to get organized, to get the community started and into business on this. In all the areas of America where there is service they can use moneys for expansion and for modernization and they can get help in this way.

Mr. PEPPER. I would hope, Mr. Chairman, if the gentleman will yield further, that as this measure develops and progresses from time to time and with the experience that will be acquired under it, that it might expand if it is not already at that point, so the cities as well as rural areas might be encouraged to set up such systems of giving aid. Would that be compatible with the ideas of the gentleman and the able members of his committee to work toward that objective?

Mr. STAGGERS. That is the real objective of the bill, to have such services all over America, and when it gets to working properly the Federal Government will get out of it.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I join the gentleman from West Virginia in support of the bill and also the amendments which will be offered by our two distinguished Members as the gentleman mentioned. This is a better bill.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Chairman, I appreciate the chairman of the Interstate and Foreign Commerce Committee yielding to me.

I have assured the chairman and others on the committee privately that despite the comments I made during the debate on the veto or at the time of the conference report, or in consideration of the bill in the House that I would support a second version only if it literally followed the proposal that was before us at that time. I do approve of this bill now on the floor. In addition I will support it if there are some reasonable adjustments that I understand may be offered in the form of several amendments. In other words, what I am saying is that my previous comments were not literal, my comments were figurative. I am flexible as to the amendments I understand may subsequently be introduced.

I appreciate the chairman yielding so I may clarify my previous comments.

Mr. STAGGERS. Mr. Chairman, I appreciate the remarks of the distinguished minority leader. I think the three amendments have been discussed with him, and I think he is in support of these three amendments because, in my opinion and I think also in his opinion, they make a stronger bill and a more equitable bill.

Mr. GERALD R. FORD. Mr. Chairman, that is my understanding, that it makes it a better bill with some adjustments to take care of unique situations.

Therefore, with those amendments, I support the legislation which is on the floor from the Committee on Interstate and Foreign Commerce, and I appreciate very much this opportunity to clarify my position.

Mr. STAGGERS. Mr. Chairman, I am very happy to have those comments, because so far as I know, the committee will certainly fight any other amendments which will be coming up. We have been through this several times. I do think the three amendments will make a stronger and more equitable bill.

Mr. Chairman, I yield to the gentleman from Pennsylvania, a member of the committee.

Mr. HEINZ. Mr. Chairman, I would like to join in the spirit of the minority leader's remarks, and also rise to compliment the chairman of the committee, Mr. STAGGERS, for his cooperation and hard work; also, our subcommittee chairman, Mr. ROGERS of Florida, for the excellent and expeditious manner in which he has presented this bill.

I rise in support of H.R. 10956, the Emergency Medical Services Act.

As a long supporter of EMS, and as a cosponsor of this years original EMS bill as reported from our Health Subcommittee, I believe the need for upgraded and coordinated emergency medical services in this country is absolutely clear. A simple investigation of the appalling toll of highway accidents and heart attacks reveals the thousands of American lives that could be saved if prompt and proper medical care were given at the scene and en route to the hospital. Hearings before our Health Subcommittee uncovered the fact that each year 15 to 20 percent of all highway victims could be saved if prompt and effective emergency care were available. 8,000 to 11,000 highway deaths would be prevented each year. In addition, 10 percent of the 275,000 heart attack fatalities could be saved by proper emergency care.

In just these two areas alone, auto accidents and heart attacks, each year as many as 35,000 Americans could be saved from tragic, unnecessary deaths.

As a cosponsor of the Emergency Medical Services Act, I believe Congress must act now to correct the weaknesses in this country's emergency medical facilities and practices. This year $350 will be spent on health care for every man, woman, and child in America, yet only 83 cents of that will finance emergency medical services. The results of this minuscule investment in emergency health care are a national scandal:

Only 10 percent of all emergency rooms are equipped to handle grave medical and surgical emergencies;

Only 17 percent of acute care hospitals have 24-hour physician staffing;

Only 5 percent of America's ambulance personnel have had adequate first aid training;

Each year more than 20,000 Americans are permanently injured or disabled by untrained ambulance attendents.

There is a need, therefore, for Federal assistance that will assure people the emergency care they desperately need. That is why we need this EMS bill—to help our States and local communities forge ahead in developing first-class emergency health services in their areas. In the Pittsburgh area, part of which

I represent, Federal assistance when combined with the dedicated health professionals in western Pennsylvania comprehensive health planning and at the University of Pittsburgh Medical School, will mean that necessary training and equipment will be supplied and a true system of emergency medical care will be developed and coordinated in the Pittsburgh area.

Mr. Chairman, I salute the Public Health and Environment Subcommittee chairman, PAUL ROGERS, for his prompt action on EMS. While this legislation had to be returned to the subcommittee because of an earlier Presidential veto sustained by the House, the distinguished gentleman from Florida exercised his usual wise and timely leadership paving the way for a successful bipartisan partnership to make quality emergency medical services a reality.

I urge all my House colleagues to give this critical legislation their wholehearted support.

Mr. NELSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, I rise to congratulate the committee for bringing this needed bill back to us after removing the nongermane Public Health Service hospitals amendment.

I particularly salute my distinguished colleague from Minnesota, ANCHER NELSEN, for his work in insisting that emergency medical services be considered separately on its own merits. As one of his cosponsors, I know it will be approved today because it is a good step forward in helping to develop vitally needed emergency medical services.

Also, as one who voted to sustain the prior veto because of the offending Public Health Services amendment, I am pleased to have the opportunity to help move this worthy measure forward.

Again, I want to thank the distinguished gentleman from Minnesota for his leadership, without which this measure might never have appeared before us. I urge passage of this bill.

Mr. NELSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma (Mr. CAMP).

Mr. CAMP. Mr. Chairman, I strongly support the Emergency medical services systems legislation we have before us today and urge my colleagues to vote for H.R. 10956, which I consponsored.

Current statistics on accidental deaths and disabilities are more than alarming. They indicate that traffic fatalities are now occurring at a rate of 55,000 per year, with nonhighway accidents adding another 63,000 deaths per year. The need for immediate passage of H.R. 10956 becomes disturbingly clear when you consider that proper emergency care could save approximately 60,000 lives annually in our country.

H.R. 10956 attempts to meet this crisis in health care by authorizing $185 million over a period of 3 years to encourage local units of government to establish effective emergency medical systems which could spell the difference in life and death for accident victims. Five new programs are created to provide Federal assistance for feasibility studies and planning, establishment and initial operation, and expansion and improvement of emergency medical services systems; for research in emergency medical techniques; and for training programs.

I am particularly pleased to note that the committee has seen fit to strengthen language in the report on this bill concerning the special problems of rural communities. It seems all too apparent to me that rural areas, suffering a much higher ratio of deaths and disabilities in proportion to the number of emergency incidents, must be afforded special protection in any legislation dealing with development of emergency medical systems. H.R. 10956, as reported, specifies that 15 percent of the authorized funds shall be available only for grants and contracts in rural areas and the report emphasizes that this 15 percent is only a minimum. I think it is imperative that the Congress make every effort to assure adequate support for rural emergency care and, in fact, I would like to see even stronger provisions protecting rural areas.

Mr. Chairman, I would hope that we will not have any difficulty in getting this legislation approved by Congress and signed by the President in an expeditious manner. We know there is a crying need for the development of communitywide emergency medical services systems. H.R. 10956 is vital to the health of the entire Nation and I believe the safeguards written into the bill for rural areas will mean much to the people of my district. Again, I urge support for this much needed legislation.

Mr. NELSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois, (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, early last month I voted to sustain the President's veto of this bill, which at that time contained the provision relating to the Public Health Service hospitals.

I still have reservations about this legislation, even though I believe its objectives are laudatory. I would hate to see this turn into just another equipment program of the kind we have seen so often on the Labor-HEW appropriations subcommittee.

How many times have we brought something out to the floor with flags waving, the band playing and its proponents telling us what a significant new step it is in helping the poor, curing the sick, aiding the disadvantaged, and so on, only to have it turn into a grant or equipment boondoggle that really helps no one but the guy who cashes the Federal check?

If we are going to approve this program, I would hope we would not just forget about it, as we do so many, and not follow through with proper oversight and review by the authorizing committee to make sure it does what it is designed to do.

There is perhaps a chance that the President will sign this version if he is convinced that it adequately provides for the special problems of the rural communities, so if we are going to send it back to him again, I would urge that we make sure the bill is not deficient in this respect.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Florida, the chairman of the subcommittee (Mr. ROGERS).

Mr. ROGERS. Mr. Chairman, once again the House is being called upon to provide desperately needed emergency medical services to our people. The subcommittee on Public Health and Environment has reported this bill on three occasions, and this is the fifth time the House has considered whether our communities need and deserve comprehensive emergency medical services.

On the four previous occasions, the House has answered "yes" by overwhelming votes, although we were unable—by a mere four votes—to override the unfortunate veto of the conference report.

Mr. Chairman, this bill is identical to the conference report presented to the President last July, except that it does not contain the provisions relating to the continued operation of the Public Health Service hospitals. This bill will give a start to local EMS programs, which must be community based and community funded after the initial Federal startup support. It calls for the step-by-step development, in our urban areas and in our rural areas, of sophisticated emergency medical services systems with proper transportation, communications, training of personnel, and facilities to assure access to medical services in emergeny situations; $185 million is authorized for 3 years.

Mr. Chairman, we know what can be done with EMS. This bill will pay for itself in monetary savings, but its value cannot be measured in terms of reduction of death and suffering.

Mr. Chairman, my colleagues on the subcommittee, Mr. ROY and Mr. CARTER will offer amendments to strengthen provisions in the bill pertaining to assistance to rural areas. I am in full support of these bipartisan amendments authored by the two distinguished physician members of the subcommittee. It is my understanding from talking to the distinguished minority leader, Mr. FORD, that he supports these amendments and that their adoption would have no effect on his position in support of this bill.

I urge my colleagues to again overwhelmingly approve the Emergency Medical Services Act of 1973—as they have done four times in recent months—so that the President and the American people know that Congress is insistent on bringing critically needed emergency medical services to our communities.

Mr. NELSEN. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. ROY).

Mr. ROY. Mr. Chairman, I will not prolong this time in discussion. I would like to say that Dr. Mary Tierney, a volunteer in my office, worked for 6 months on this legislation very closely with the staff of the committee. I think we are all indebted to her for the contribution she made.

I congratulate the gentleman from Florida (Mr. ROGERS), my chairman, and the others on the subcommittee for working so diligently. I urge that the bill be passed.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. ROY. I yield to the gentleman from Minnesota.

Mr. NELSEN. The gentleman from Kentucky (Mr. CARTER) wishes to extend his remarks following those of the gentleman from Kansas, if the gentleman will agree.

Mr. ROY. I agree.

Mr. CARTER. Mr. Chairman, today we are considering the Emergency Medical Services Systems Act of 1973.

Section 1201 consists of definitions.

Section 1202 consists of: First, grants for studying the feasibility of establishing—through expansion or improvement of existing services or otherwise—and operating an emergency medical services system; and second, planning the establishment and operation of such a system.

Section 1203 includes grants and contracts for establishment and initial operation of emergency medical services systems.

These grants and contracts are to be given to States, a unit of general local government, a public entity administering a compact or other regional arrangement or consortium, or any other public entity and any nonprofit private entity.

Section 1204 provides for the expansion and improvement of emergency medical services systems, including the acquisition of equipment and facilities and the modernization of facilities.

Section 1205 provides that the Secretary may make grants to public or private nonprofit entities, and enter into contracts with private entities and individuals, for the support of research in emergency medical techniques, methods, devices, and delivery.

Section 1206 includes the entities to which grants and contracts can be made, and the method in which they are to be made.

Section 1207 authorizes, for the purpose of making payments pursuant to grants and contracts under sections 1202, 1203, and 1204, the appropriation of $30,000,000 for the fiscal year ending June 30, 1974; $60,000,000 for the fiscal year ending June 30, 1975; and $70,000,000 for the year ending June 30, 1976.

Of the sums appropriated for any fiscal year, not less than 15 percent shall be made available for grants and contracts under this title for such fiscal year for emergency medical services systems which serve rural areas.

Of sums appropriated, 15 percent is made available for grants and contracts under section 1202 which relates to feasibility studies and planning;

Sixty percent for grants and contracts related to establishment and initial operation for such fiscal year;

And 25 percent of such sums shall be made available only for grants and contracts under section 1204—this relates to expansion and improvement of existing medical facilities.

After June 30, 1976, 75 percent of such sums shall be made available only for grants and contracts under section 1203—this is for establishment and initial operation.

And 25 percent shall be made available for grants and contracts under section 1204—this relates to expansion and improvement of existing facilities.

The program shall be administered by the Secretary through an identifiable administrative unit within the Department of Health, Education, and Welfare.

An interagency committee on emergency medical services will be established. The Secretary of Health, Education and Welfare or his designee shall serve as chairman of the committee; the membership shall include representation from the Departments of Transportation, Justice, Defense, the Veterans' Administration, the National Science Foundation, the Federal Communications Commission, and the National Academy of Sciences, and such other Federal agencies as the Secretary determines; and five individuals from the general public appointed by the President from individuals who by virtue of their training or experience are particularly qualified to particpate in the performance of the committee's function.

Section 1210 requires the Secretary to prepare and submit an annual report to the Congress on the implementation of this legislation.

On page 24 of this bill, section 776 provides for training in emergency medical services.

The Secretary may make grants to enter into contracts with schools of medicine, dentistry, osteopathy, and nursing, and training centers for allied health professions to assist in meeting the cost of training programs in the techniques and methods of providing emergency medical services, including the skills required in connection with the provision of ambulance services.

For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1974.

An adequate number of necessary ground, air, and water vehicles and other transportation facilities to meet the individual characteristics of the system's service area will be provided.

Central communications systems will be established so that requests for emergency health care services will be handled by a communications facility. Adjacent areas will be joined in networks so that assistance can be given from one area to another; and that in case of disaster, such services can be combined to care for those who are affected.

The best facilities we have for diagnosis, treatment rehabilitation and transportation are none too good.

From 350,000 to 400,000 people die each year of heart attacks. It has been estimated by health authorities that 60,000 of these might well be saved with better trained ambulance attendants and medical personnel.

Some 54,000 people are killed each year on our highways. Thousands more are permanently injured due to faulty handling by untrained personnel; thousands more could well be saved.

As many of you know, up until approximately 3 years ago, funeral homes throughout much of the United States, and particularly in my State, furnished ambulance services. But a regulation from DOT required any company offering ambulance service to have two trained attendants on duty at all times. Because of this implementation of the Federal regulation, almost every ambulance company or funeral home offering ambulance service in my area was forced out of business.

A small company simply cannot afford to keep six trained men on duty during a 24-hour period. The funeral homes and many of the ambulance companies went out of business, and as a result the burden fell on the counties, the small county hospitals throughout Kentucky and the United States.

This places an intolerable financial burden upon our counties and hospitals. It would range in cost from $70,000 in a small county to millions of dollars in a county like Jefferson County. The Federal Government here in Washington promulgated these regulations and placed this enormous financial burden upon our small counties and communities.

Therefore, I submit, Mr. Chairman, that it behooves us to help the small counties throughout the United States in training ambulance personnel, and with financial assistance in the purchase of equipment necessary for adequate and meaningful ambulance service.

Many times on our highways, among the 54,000 who are killed each year, a femoral, brachial or carotid artery may be severed. The attendance of a skilled technician might well prevent a fatal hemorrhage. This legislation provides for such trained attendants. Will you, Mr. Chairman, be the one to deny the unfortunate person who is hemorrhaging to death the skillful care and attention which is necessary to save his life?

Mr. Chairman, on our highways, of the 54,000 who are killed each year, many suffer serious spinal injuries with pressure upon the spinal cord. Without experienced care, loading and transportation, this would result in irreparable paralysis. Would you, Mr. Chairman, vote to deny that person with a spinal injury the right to have a skilled attendant to see that he is not paralyzed as a result of unskilled handling?

The cost of this bill is $185,000,000, a little more than we pay each year for our deployment of troops in Italy, a little less than we pay for our military installa-

tions in Great Britain. It would result in the savings of at least 60,000 people a year from fatal heart attacks, 30-odd-thousand people from crippling injuries.

Mr. Chairman, this bill is supported by almost every medical organization in the United States, the American Heart Association, the American Cancer Society, the American Hospital Association, the Association of Mayors and of County Officials.

The sum of money which we authorize today will cost approximately as much as a destroyer. We need to make our country stronger from within and a better place in which to live.

FACT SHEET

1. Accidents are leading cause of death among persons from 1–37 years old.
2. Accidents are fourth leading cause of death of all ages.
3. Montana—47.9/100,000 motor vehicle deaths. New Jersey—18.3/100,000 motor vehicle deaths.
4. An accident in a rural area is 4 times as likely to cause death than a similar accident in a urban area.
5. In 1972: 17,600 motor vehicle deaths in urban areas; 37,100 motor vehicle deaths in rural areas.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. DE LA GARZA).

Mr. DE LA GARZA. Mr. Chairman, I strongly support this legislation—H.R. 10956—which is the revised version of the vetoed Emergency Medical Services System Act—which should provide some assistance to the ever mounting medical needs of my area and which should ease, in many respects, the tremendous financial burdens under which many of my area's hospitals are staggering.

Accidents are killing more persons in the productive age group and are the fourth most common cause of death. Heart attacks are striking down people in the prime of life. Poisonings and drug overdose require immediate medical attention. Unnecessary loss of life and disability resulting from sudden death and sudden illnesses are mounting.

This type legislation which would increase the planning and coordination of emergency medical services by local communities, States, and the Federal Government; which would provide expanded resources for the establishment, initial operation, expansion, and improvement of emergency medical service system; which would provide expanded research training, coordination, and rationalization of the presently fragmented and duplicative Federal programs for emergency medical services is something desperately needed.

Our hospitals are being burdened with a load they cannot afford to carry either in terms of personnel or in terms of mounting costs and resulting inabilities of some people to pay—with the result that they become charity patients—and the local areas have neither the financial resources or capabilities to pick up the total of the expenses accruing to the hospital system.

This is wide-ranging legislation. Our Nation possesses the expertise and the ability to provide efficient, effective, and acceptable emergency medical services to all our citizens.

The committee has done an excellent job in working up this legislation, for which I commend them, and it is my hope that something can be done as a result of it to fill the needs existing nationally—and certainly in the area I am privileged to represent.

The House is proposing three ways to fund the implementation of emergency medical services: First, by planning and feasibility grants and contracts; second, by establishment and initial operation grants; and third, by expansion and improvement grants.

With everybody working together and this legislation being affirmatively considered, we are taking a long step down the road toward helping communities develop comprehensive and improved emergency medical service—thereby fulfilling their requirement to the areas they serve.

I cannot urge too strongly my colleagues to vote affirmatively on this tremendously important piece of legislation.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. SYMINGTON), a member of the committee.

Mr. SYMINGTON. Mr. Chairman, I just want to express my gratitude to the Republican members of the committee and the minority leader, Mr. GERALD R. FORD, for joining with us in what I believe is a bill that will mean a great deal to this country and for which the country will be grateful.

I want to thank the gentleman from Florida (Mr. ROGERS), the chairman of the subcommittee, and all the hard-working staff members who worked so diligently on the bill.

I commend it to the House with my wholehearted support.

Mr. BUCHANAN. Mr. Chairman, I would like to join today with many of my distinguished colleagues in support of H.R. 10956, the Emergency Medical Services Systems Act of 1973.

This measure, which I am proud to cosponsor, offers an excellent solution to a most pressing problem in our Nation today. Nearly 120,000 Americans die annually as a result of traffic and other accidents and an additional 275,000 from heart attacks. Of these deaths, an estimated 40,000 lives could be saved each year if proper emergency care were available at the scene, en route to hospitals, and in emergency rooms.

We are all aware that health care costs have soared in recent years. This legislation would provide grants for planning, development and initial operation, expansion and improvement of emergency medical service systems and related training research programs. This bill would help already overburdened local health care organizations initiate vitally needed emergency health care.

Perhaps one of the best features of this bill is that it supports the initial impetus toward an effective emergency medical services system while still enabling the State and local governments to develop from the federally financed nucleus a program of their own designed locally to meet local needs.

The Birmingham area is a prime example of an area that would benefit greatly from this program. In 1972 a $300,000 Federal grant was made to the University of Alabama in Birmingham for a pilot program to coordinate efforts to the cities of Birmingham, Homewood, Mountain Brook, Hoover, and Vestavia Hills to handle medical emergencies, including major disasters. At the time the grant was made, each of these cities had a partially functional emergency medical system. This legislation, coupled with the earlier grant and the efforts being made by the area governments will enable the entire Birmingham area to continue development of an effective, fast acting, emergency medical services system. The benefits accruing to the Birmingham area as a result of this program are only but an example of the assistance this program could provide nationally if this legislation is passed.

Mr. Chairman, I wholeheartedly support this program which I believe will provide a valuable contribution to the well-being of hundreds of thousands of our citizens each year.

Mr. ABDNOR. Mr. Chairman, I rise in support of the bill here being considered to increase the amount of funds to be allocated to rural areas. I can best contribute to this discussion by pointing out the medical situation in my State of South Dakota.

Many lives are lost annually in South Dakota because of delays en route to the hospital, in reaching the patient, inadequate care at the scene, and inadequate training in use of equipment both en route and at the emergency room. In addition, no adequate communication system, transportation network, or trained emergency medical personnel exists to save those many lives which are lost due to accidents or sudden severe illness. This cost in lives is high with 70 percent of motor vehicle deaths alone occurring in rural areas with less than 2,500 population.

The problem in my State is not necessarily the same as in the large metropolitan and urban areas of the United States. South Dakota's basic problem is that of a small rural population with large geographic distribution. The principal industry of South Dakota is farming which is notorious as a high accident risk occupation. In addition large numbers of sportsmen and tourists bring added burdens to the emergency medical system year-round but particularly in the summer months to the Black Hills region where more than 2 million visitors alone visit Mount Rushmore in just 3 months.

No total comprehensive emergency medical system exists, and there is an obvious and implied need coming from our shortage of doctors and sparsely located hospitals.

The highway system in South Dakota, serving the local population, as well as a considerable number of tourists, has recorded 123,804 traffic accidents resulting in 2,520 deaths over the 10-year period 1962 through 1971. We lack an adequate transportation system to get the patients to where they can even receive the most common of first aid care.

There are six Indian reservations in my district and jurisdictional responsibilities preclude assistance from State governments. I need not say here how

badly we need better health care delivery systems for the Indians. The important point is that this EMS bill will be the only comprehensive approach for the Indians to utilize to meet their needs for emergency attention and access to the hospitals.

Rural America is experiencing the outmigration of her medical personnel. It is a well known fact that the medically trained leave rural areas before the general population begins to leave. We are very thankful and honored by the doctors who have remained, but we badly need the assistance of this bill to enable the development of a means whereby the outlying patient can be delivered to where the doctors are and facilities exist to accommodate his health needs.

I applaud the committee's intent to assure a minimum funding share for rural areas, but 15 percent is not enough, and somewhat doubt if 50 percent would be enough. We cannot ignore the medical needs of the rural areas for it can be shown that people move away into the cities not only for job opportunities, but in order to be close to facilities and personnel where their life-support needs are available if needed.

Mr. CONTE. Mr. Chairman, $851 million over a 3-year period of time is a tremendously modest proposal when compared to the life and death situations which confront thousands of Americans each year. A recent report by the National Academy of Sciences bears out the sad fact that our emergency medical services are, quote:

> One of the weakest links in the delivery of health care in the Nation.

There are no coherent systems for the provision of emergency medical services in the country today. The worth of what services we have varies tremendously from town to town. The results of such a situation are obvious—while the death rates continue to rise, our ability to deal with the problem declines.

It is conservatively estimated that 175,000 people die needlessly each year. Highway deaths alone constitute 56,000 of these victims, and we can save possibly as many as 11,000 of those roadway fatalities each year with the passage of this measure.

Aside from accidental deaths, the aged of this country find little solace in having to rely on present systems. In fact, they find the situation to represent a deadly threat to their lives which they must face on a day-to-day basis. It is a bad joke for them to be told that nearly half of the country's available ambulances are provided by funeral homes. They do not see the humor in the fact that, should they suffer some sort of seizure and live just beyond the jurisdictional line of a local emergency service, they may not be eligible for care because a law or policy would prevent an ambulance from crossing that boundary.

The statistics are astounding—nearly 400,000 victims of heart attacks die before they can get to either a doctor or a hospital. This bill could signal the updating and expansion of mobile emergency coronary units to take care of a good portion of these people. This bill could provide funding for the further research and training we so desparately need to improve our techniques for providing emergency medical care. This bill could, at last, provide us with fleets of totally equipped, first-rate ambulances, which could speed the injured and sick to fully equipped and staffed hospital emergncy rooms. Sixty thousand lives could be saved enroute from pick-up site to hospital.

We need this program. There is too much good in it to deny it to the American people.

All of us here in this Chamber, I am certain, have received countless pieces of mail; many calls, in support of this measure. Labor, veterans, civic groups, the public at large desire it and need it. The President, himself, has listed emergency medical services as an administration priority.

Let us get on with it. Let us enable our communities to include up-to-date emergency service in their health systems. They need our help. State and local governments are already strapped; what programs they have cannot survive without our help.

Let us get on with it.

Mr. DERWINSKI. Mr. Chairman, as a cosponsor of H.R. 10956, the emergency medical services bill, I am pleased that Congress is cooperating with the President in bringing this measure to the floor. This is a program I have strongly supported and I hope that we can complete the legislative process before Congress adjourns this fall.

The purpose of this bill is to give each Member of Congress an opportunity to vote, up or down on the EMS program without having to vote on the nongermane PHS hospital issue at the same time. Support for this approach has been indicated by the administration as well as a willingness to cooperate with Congress in producing an EMS program.

Emergency medical services can spell the difference between life and death. This bill would assist in developing better EMS delivery throughout the Nation.

The State of Illinois is a leader in emergency medical services and needs, as do the other States, the benefits which could be derived from this bill to further develop our fine emergency medical services system. I strongly urge your support of this bill which would establish an effective nationwide emergency medical services system.

Mr. PRICE of Illinois. Mr. Chairman, I rise in support of the Emergency Medical Services Systems Act of 1973. Emergency medical services are sorely needed to aid our Nation's already overburdened medical facilities. Improved emergency services could save 60,000 lives a year now lost to accidents and sudden illness. Accidents are the Nation's fourth most common cause of death yet our medical system can not cope with the problem. Proper emergency medical services will save lives.

This measure, insuring adequate emergency services to the American public, has already met a Presidential veto. The veto has already delayed the development of emergency care systems for several months. I feel such an important consideration should be beyond the scope of partisan politics. Let us no longer deny the public access to adequate emergency medical services.

The emergency medical service systems would provide community based emergency services through the Department of Health, Education, and Welfare. It would help communities develop comprehensive plans for medical services including ambulance services, emergency rooms and other facilities with properly trained personnel.

It is my hope that this measure be passed with wide bipartisan support. I urge my colleagues to vote for the passage of H.R. 10956.

Mr. KYROS. Mr. Chairman, I rise today in support of H.R. 10956, which would provide desperately needed improvements in the administration and delivery of our Nation's emergency medical services systems. I urge the Members of this body to act swiftly and decisively on this bill so that it can be enacted into law without further delay.

The need for this legislation, Mr. Chairman, is clear: It is reliably estimated that 60,000 lives are lost each year, because of the inadequacy of our Nation's emergency medical services. It is shocking that we have virtually the same emergency medical system that we had 50 years ago.

The current situation in my State of Maine, as in most States, is not very encouraging. Only 70 of our 2,500 licensed ambulance attendants meet the standards recommended by the Department of Health, Education, and Welfare. The others have advanced Red Cross training, but that is simply not enough to meet a wide range of emergency situations. Of even greater concern, is the fact that only 5 out of Maine's 63 hospitals have round-the-clock physician coverage. These are the sorts of situations which H.R. 10956 seeks to correct.

Mr. Chairman, it is estimated that 10 percent of Maine's 1,400 annual coronary fatalities and up to 20 percent of its 270 annual automobile deaths could be prevented. Passage of H.R. 10956 will be a giant step in that direction.

Mr. GILMAN. Mr. Chairman, I rise in support of H.R. 10956, the Emergency Medical Services Act now before us.

Federal assistance to communities in the area of emergency medical services is long overdue.

It is shocking to learn that accidents are the fourth major cause of death in our United States, frequently terminating lives at the height of productivity.

Yet, this statistic should not be shocking for we are all aware of the frequency with which this killer strikes—deaths on the highways, fires, drownings, poisonings and freak accidents—all part of the sad news on any given day.

We, in Congress, have a real opportunity to reduce this toll as we consider H.R. 10956. It is estimated that improved and adequate emergency care could save approximately 60,000 lives annually.

While we may be overly optimistic in hoping for vast reductions in accidental death tolls, we do have assurances that by passage of this legislation we will be saving lives and averting serious injuries. We must heed this call.

I know that many of you have shared my feelings of pride for those selfless, knowledgeable individuals, who volunteer to serve in ambulance corps, and the frustration we have felt when these very

same people approach us seeking State or Federal aid for purchasing equipment and for training programs.

We will all be proud, in light of their dedication and devotion to their fellow man, to report to them that the Federal Government has finally recognized their needs and taken the initiative to encourage their good work.

Accordingly Mr. Chairman, I urge my colleagues to support these worthy objectives by voting in favor of H.R. 10956, the Emergency Medical Services Act of 1973.

Mr. RANDALL. Mr. Chairman, I enthusiastically support the Emergency Medical Services Act. Such a statement in this instance happens to be one that can be backed up with a measure of proof because on September 12, when the House sustained the veto on H.R. 6458 or S. 504, I voted to override the veto.

The President said he had two basic objections to S. 504 or H.R. 6458. First, that $185 million was too much to spend, even though it is a fact that only 10 percent of our Nation's hospitals are adequately equipped to handle medical emergencies. Then he objected to the eight Public Health Service hospitals, as to this objection the President should have known there is even a need for additional hospitals.

The new legislation, H.R. 10956, was introduced on October 19. It is similar to S. 504, the vetoed bill, with two exceptions. First, the provision relating to the eight Public Health Service hospitals has been deleted, and, second, in this new bill there is a new or special recognition given to the rural areas.

Mr. Chairman, I was pleased to note that in the bill as it came to the floor today, there was included a provision of not less than 15 percent of the sums appropriated be available for grants and contracts in the rural areas.

It was even more pleasing to note that by a floor amendment which was passed under a voice vote this 15 percent was increased to 20 percent. Moreover, the bill requires the Secretary of Health, Education, and Welfare to provide assistance needed by any communities in the rural areas to apply and qualify for the awards.

Mr. Chairman, the report accompanying this bill indicates the cost of this legislation, will, during its lifetime be about $185 million.

It has long been my belief we should not express the expense to save human lives in terms of cost in dollars but as one of the best investments this country can make. I do not have the figures at my fingertips but in the debate that took place at the time of the veto if we add all annual highway fatalities to all nonhighway deaths and when it is further considered that all these lives could be saved by prompt emergency medical service, then the expenditure for saving an individual life added up to approximately $1,000 per person.

Surely, we have not reached a point in this country that we can afford not to make an investment of such a small amount to try to save the lives of our citizens.

Mr. ROBISON of New York. Mr. Chairman, I rise to support passage of the Emergency Medical Services Act of 1973, a measure of such compelling purpose and scope that it has survived every possible obstacle before coming to us today. This time I am confident we shall see a large vote of approval, and I must admit to some personal satisfaction over that possibility, after riding the crests and ebbs of this bill for so long. I have been an ardent backer of the Emergency Medical Services Act from the beginning, when my colleague from West Virginia (Mr. MOLLOHAN) and I introduced the initial namesake of this proposal; and I have shared with other supporters of the bill the considerable frustration of watching a very necessary initiative become enmeshed in unrelated questions.

Twice before, this bill has come before us in substantially the same form as we now have it, and each time it was successfully approved, because a large majority of my colleagues were convinced by the facts in support of this proposal. What has been documented in the succession of committee reports which have come to us is that tens of thousands of lives will be saved, if the provisons of this legislation are carried out.

It is equally true that the Federal Government has a necessary role in assisting the development of emergency medical services throughout the country. The Federal Government is uniquely disposed to coordinate research and technological development which seeks improved means to treat patients at the site of accident or other medical trauma. The Federal Government is singly capable of evaluating and disseminating the results of innovations in emergency health care which are developed in various parts of the country. And, perhaps more importantly, the Federal Government must be concerned that whenever a citizen leaves his home and travels to another part of the country, that individual has some assurance of capable and timely medical treatment, wherever emergency strikes.

Contrary to the statements of a few of my colleagues, this legislation does not initiate a new Federal responsibility. It is not a new program, as some have maintained. Rather, the Emergency Medical Services Act pulls together the more than 25 Federal programs which now function in various agencies and offices of the executive branch, and the proposal, thereby, forms a consistent national policy governing Federal support and monitoring of emergency medical services.

The Federal Government has long recognized the need for coordination and research assistance—even direct funding assistance for the purchase of equipment—however, the Federal effort thus far has been characterized by many independent, unrelated efforts spread throughout a number of executive agencies. What coordination there is results primarily from the informal contacts which various administrators have developed in the course of their work. Until Congress began to consider this legislation, there had been no serious questioning of the need for a coordinating procedure which would lend both uniformity of purpose and consistent policy guidelines to the dozens of programs already in existence.

We have, for instance, one Federal agency—the National Highway Traffic Safety Administration—attempting to implement Federal guidelines concerning ambulance attendant training and ambulance equipment, while other Federal agencies, such as the Social Security Administration and the Veterans' Administration, are paying for ambulance services without questioning the standards of performance of those providing the service.

Through the Emergency Medical Services Act of 1973, the Federal Government will gain an "identifiable" administrative unit, within the Department of Health, Education, and Welfare, which shall administer all grants and contracts provided by the legislation and shall also be the responsible collecting point and the point of dissemination for all information and study results which might contribute to the improvement of emergency medical transportation and care.

In addition to the creation of an identifiable "lead agency," the measure before us establishes an Interagency Committee on Emergency Medical Services for the sole purpose of coordinating the presently disparate programs in emergency medical services, and for evaluating the adequacy and technical soundness of those programs.

To my mind, this is what the Emergency Medical Services Act is all about. It is preeminently a reorganization bill, which would bring together scattered Federal activities into a uniform and coordinated Federal assistance effort for emergency medical services. Should my colleagues have any doubt of the considerable need for an effectively functioning Federal effort, they need only look at the printed hearings which accompany this bill. Several of the salient points of those hearings have been reiterated today, and it is because of the commitment and dedication of the distinguished chairman of the Interstate and Foreign Commerce Committee, and the continuing concern of our colleague from Florida (Mr. ROGERS), that these facts have become part of the record of this Congress.

The facts and figures I refer to are a frightening litany of unnecessary death and disability which might be prevented if local communities and State governments have the purposeful leadership of those Federal agencies which are charged with providing assistance and guidance to local and regional ambulance systems.

Today, we must answer the need which should be obvious to every one of my colleagues, by completing final and overwhelming House passage of the Emergency Medical Services Act of 1973. I urge my colleagues to vote favorably on this legislation.

Mrs. HOLT. Mr. Speaker, I rise today to speak in support of the Emergency Medical Services Act of 1973. There is no excuse, in the light of modern medical knowledge, why we need lose thousands of Americans annually. It has been stated that 60,000 heart attack victims would be saved by competent, swift, well-trained emergency medical personnel; 16,000 children would live each year, whom we would otherwise lose from fatal accidents, and 20 percent of all

automobile fatalities could be averted by the utilization of modern equipment and skillful ambulance attendants.

We could spare needless anguish, disfigurement, and death by our vote today. We could relieve the burden of the isolated, rural community struggling to maintain adequate emergency room care in county hospitals. We could utilize the talents of veteran corpsmen, already trained in emergency and trauma work. We could save 30,000 Americans from crippling injuries, by insuring that they would receive immediate and careful handling. We could use our increased medical knowledge to bring benefits to communities across the Nation where hundreds die each year, not because medical knowledge was unavailable, but because that knowledge was not used.

We could stimulate planning, research, and action for regional emergency medical services. We could relieve human suffering at its most immediate level. And we could do all this at a cost which will surely be offset by the staggering expenses involved in long term care, rehabilitation and even death. It is a very small investment for such great dividends.

I urge my colleagues to join with me in supporting this vital and overdue legislation.

Mr. WIGGINS. Mr. Chairman, it is evident to all of us that there is nearly unanimous agreement as to this bill. However, I do wish to indicate my opposition to it and to state very briefly why I oppose the bill.

I have never felt that the subject of providing emergency medical services is a subject in which the Federal Government necessarily should involve itself. It seems to me that this is in essence a local responsibility, and in many places around this country, local areas and communities have responded to and met that responsibility. They certainly have in my area of southern California. I cannot believe that other areas of this country could not, if challenged to do so, meet their own responsibilities of providing emergency medical services for their own citizens.

Accordingly, Mr. Chairman, I am going to vote no on this bill, and I regret very much that we are moving down a path which is going to involve the Federal Government once again in what is essentially a local matter.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. WIGGINS. Of course, I will yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I would just like to remind the gentleman that the money goes to the communities, and the communities can spend the money in any fashion they see fit. There are communities in this country such as that served by the gentleman from California which do not need these funds, but they are very few in America. We have many communities that need the help which we are going to give them and the cooperation which we will extend, and they cannot do the job alone. I do not think that we should legislate only for our own constituents, but that we should legislate for America.

Mr. WIGGINS. Mr. Chairman, I assure the gentleman that my community does need money. The difference is that my community has taxed itself historically to provide the service it now provides its citizens. What the gentleman is asking, I am afraid, by his legislation is that my people should also pay for services for other areas in addition to their own, and I object to this.

Mr. STAGGERS. Mr. Chairman, I believe the gentleman is wrong, because in the small counties in my State, we have several of these areas that simply need some help and some expertise and some trained personnel, and I am sure the gentleman's constituents could use that help.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time on this side.

Mr. NELSEN. Mr. Chairman, I have no further requests for time, but I believe the gentleman from Kentucky (Mr. CARTER) has an amendment he wishes to offer.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 10956

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Emergency Medical Services System Act of 1973".

EMERGENCY MEDICAL SERVICES SYSTEM

SEC. 2. (a) The Public Health Service Act is amended by adding at the end thereof the following new title:

"TITLE XII—EMERGENCY MEDICAL SERVICES SYSTEMS

"DEFINITIONS

"SEC. 1201. For purposes of this title:

"(1) The term 'emergency medical services system' means a system which provides for the arrangement of personnel, facilities, and equipment for the effective and coordinated delivery in an appropriate geographical area of health care services under emergency conditions (occurring either as a result of the patient's condition or of natural disasters or similar situations) and which is administered by a public or nonprofit private entity which has the authority and the resources to provide effective administration of the system.

"(2) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(3) The term 'modernization' means the alteration, major repair (to the extent permitted by regulations), remodeling, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

"(4) The term 'section 314(a) State health planning agency' means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a).

"(5) The term 'section 314(b) areawide health planning agency' means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b), and the term 'section 314(b) plan' means a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b).

"GRANTS AND CONTRACTS FOR FEASIBILITY STUDIES AND PLANNING

"SEC. 1202. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for projects which include both (1) studying the feasibility of establishing (through expansion or improvement of existing services or otherwise) and operating an emergency medical services system, and (2) planning the establishment and operation of such a system.

"(b) If the Secretary makes a grant or enters into a contract under this section for a study and planning project respecting an emergency medical services system for a particular geographical area, the Secretary may not make any other grant or enter into any other contract under this section for such project, and he may not make a grant or enter into a contract under this section for any other study and planning project respecting an emergency medical services system for the same area or for an area which includes (in whole or substantial part) such area.

"(c) Reports of the results of any study and planning project assisted under this section shall be submitted to the Secretary and the Interagency Committee on Emergency Medical Services at such intervals as the Secretary may prescribe, and a final report of such results shall be submitted to the Secretary and such Committee not later than one year from the date the grant was made or the contract entered into, as the case may be.

"(d) An application for a grant or contract under this section shall—

"(1) demonstrate to the satisfaction of the Secretary and the need of the area for which the study and planning will be done for an emergency medical services system;

"(2) contain assurances satisfactory to the Secretary that the applicant is qualified to plan an emergency medical services system for such area; and

"(3) contain assurances satisfactory to the Secretary that the planning will be conducted in cooperation (A) with each section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such area, and (B) with any emergency medical services council or other entity responsible for review and evaluation of the provision of emergency medical services in such area.

"(e) The amount of any grant under this section shall be determined by the Secretary.

"GRANTS AND CONTRACTS FOR ESTABLISHING AND INITIAL OPERATION

"SEC. 1203. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for the establishment and initial operation of emergency medical services systems.

"(b) Special consideration shall be given to applications for grants and contracts for systems which will coordinate with statewide emergency medical services system.

"(c) (1) Grants and contracts under this section may be used for the modernization of facilities for emergency medical services systems and other costs of establishment and initial operation.

"(2) Each grant or contract under this section shall be made for costs of establishment and operation in the year for which the grant or contract is made. If a grant or contract is made under this section for a system, the Secretary may make one additional grant or contract for that system if he determines, after a review of the first nine months' activities of the applicant carried out under the first grant or contract, that the applicant is satisfactorily progressing in the establishment and operation of the system in accordance with the plan contained in his application (pursuant to section 1206 (b) (4)) for the first grant or contract.

"(3) No grant or contract may be made under this section for the fiscal year ending June 30, 1976, to an entity which did not receive a grant or contract under this section for the preceding fiscal year.

"(4) Subject to section 1206(f)—

"(A) the amount of the first grant or contract under this section for an emergency medical services system may not exceed (i) 50 per centum of the establishment and operation costs (as determined pursuant to regulations of the Secretary) of the system for the year for which the grant or contract is made, or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 75 per centum of such costs for such year; and

"(B) the amount of the second grant or contract under this section for a system may not exceed (i) 25 per centum of the establishment and operation costs (as determined pursuant to regulations of the Secretary) of the system for the year for which the grant or contract is made, or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 50 per centum of such costs for such year.

"(5) In considering applications which demonstrate exceptional need for financial assistance, the Secretary shall give special consideration to applications submitted for emergency medical services systems for rural areas (as defined in regulations of the Secretary).

"GRANTS AND CONTRACTS FOR EXPANSION AND IMPROVEMENT

"SEC. 1204. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for projects for the expansion and improvement of emergency medical services systems, including the acquisition of equipment and facilities, the modernization of facilities, and other projects to expand and improve such systems.

"(b) Subject to section 1206(f), the amount of any grant or contract under this section for a project shall not exceed 50 per centum of the cost of that project (as determined pursuant to regulations of the Secretary).

"GRANTS AND CONTRACTS FOR RESEARCH

"SEC. 1205. (a) The Secretary may make grants to public or private nonprofit entities, and enter into contracts with private entities and individuals, for the support of research in emergency medical techniques, methods, devices, and delivery.

"(b) No grant may be made or contract entered into under this section for amounts in excess of $35,000 unless the application therefor has been recommended for approval by an appropriate peer review panel designated or established by the Secretary. Any application for a grant or contract under this section shall be submitted in such form and manner, and contain such information, as the Secretary shall prescribe in regulations.

"(c) The recipient of a grant or contract under this section shall make such reports to the Secretary as the Secretary may require.

"GENERAL PROVISIONS RESPECTING GRANTS AND CONTRACTS

"SEC. 1206. (a) For purposes of sections 1202, 1203, and 1204, the term 'eligible entity' means—

"(1) a State,

"(2) a unit of general local government,

"(3) a public entity administering a compact or other regional arrangement or consortium, or

"(4) any other public entity and any nonprofit private entity.

"(b)(1) No grant or contract may be made under this title unless an application therefor has been submitted to, and approved by, the Secretary.

"(2) In considering applications submitted under this title, the Secretary shall give priority to applications submitted by the entities described in clauses (1), (2), and (3) of subsection (a).

"(3) No application for a grant or contract under section 1202 may be approved unless—

"(A) the application meets the application requirements of such section;

"(B) in the case of an application submitted by a public entity administering a compact or other regional arrangement or consortium, the compact or other regional arrangement or consortium includes each unit of general local government of each standard metropolitan statistical area (as determined by the Office of Management and Budget) located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted;

"(C) in the case of an application submitted by an entity described in clause (4) of subsection (a), such entity has provided a copy of its application to each entity described in clauses (1), (2), and (3) of such subsection which is located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted and has provided each such entity a reasonable opportunity to submit to the Secretary comments on the application;

"(D) the—

"(i) section 314(a) State health planning agency of each State in which the service area of the emergency medical services system for which the application is submitted will be located, and

"(ii) section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the service area of such system,

have had not less than thirty days (measured from the date a copy of the application was submitted to the agency by the applicant) in which to comment on the application;

"(E) the applicant agrees to maintain such records and make such reports to the Secretary as the Secretary determines are necessary to carry out the provisions of this title; and

"(F) the application is submitted in such form and such manner and contains such information (including specification of applicable provisions of law or regulations which restricts the full utilization of the training and skills of health professions and allied and other health personnel in the provision of health care services in such a system) as the Secretary shall prescribe in regulations.

"(4)(A) An application for a grant or contract under section 1203 or 1204 may not be approved by the Secretary unless (i) the application meets the requirements of subparagraphs (B) through (F) of paragraph (3), and (ii) except as provided in subparagraph (B)(ii), the applicant (I) demonstrates to the satisfaction of the Secretary that the emergency medical services system for which the application is submitted will, within the period specified in subparagraph (B)(i), meet each of the emergency medical services system requirements specified in subparagraph (C), and (II) provides in the application a plan satisfactory to the Secretary for the system to meet each such requirement within such period.

"(B)(i) The period within which an emergency medical services system must meet each of the requirements specified in subparagraph (A) is the period of the grant or contract for which application is made; except that if the applicant demonstrates to the satisfaction of the Secretary the inability of the applicant's emergency medical services system to meet one or more of such requirements within such period, the period (or periods) within which the system must meet such requirement (or requirements) is such period (or periods) as the Secretary may require.

"(ii) If an applicant submits an application for a grant or contract under section 1203 or 1204 and demonstrates to the satisfaction of the Secretary the inability of the system for which the application is submitted to meet one or more of the requirements specified in subparagraph (C) within any specific period of time, the demonstration and plan prerequisites prescribed by clause (ii) of subparagraph (A) shall not apply with respect to such requirement (or requirements) and the applicant shall provide in his application a plan, satisfactory to the Secretary, for achieving appropriate alternatives to such requirement (or requirements).

"(C) An emergency medical services system shall—

"(i) include an adequate number of health professions, allied health professions, and other health personnel with appropriate training and experience;

"(ii) provide for its personnel appropriate training (including clinical training) and continuing education programs which (I) are coordinated with other programs in the system's service area which provide similar training and education, and (II) emphasize recruitment and necessary training of veterans of the Armed Forces with military training and experience in health care fields and of appropriate public safety personnel in such area;

"(iii) join the personnel, facilities, and equipment of the system by a central communications system so that requests for emergency health care services will be handled by a communications facility which (I) utilizes emergency medical telephone screening, (II) utilizes or, within such period as the Secretary prescribes will utilize the universal emergency telephone number 911, and (III) will have direct communication connections and interconnections with the personnel, facilities, and equipment of the system and with other appropriate emergency medical services systems;

"(iv) include an adequate number of necessary ground, air, and water vehicles and other transportation facilities to meet the individual characteristics of the system's service area—

"(I) which vehicles and facilities meet appropriate standards relating to location, design, performance, and equipment, and

"(II) the operators and other personnel for which vehicles and facilities meet appropriate training and experience requirements;

"(v) include an adequate number of easily accessible emergency medical services facilities which are collectively capable of providing services on a continuous basis, which have appropriate nonduplicative and categorized capabilities, which meet appropriate standards relating to capacity, location, personnel, and equipment, and which are coordinated with other health care facilities of the systems;

"(vi) provide access (including appropriate transportation) to specialized critical medical care units in the system's service area, or, if there are no such units or an inadequate number of them in such area, provide access to such units in neighboring areas if access to such units is feasible in terms of time and distance;

"(vii) provide for the effective utilization of the appropriate personnel, facilities, and equipment of each public safety agency providing emergency services in the system's service area;

"(viii) be organized in a manner that provides persons who reside in the system's service area and who have no professional training or financial interest in the provision of health care with an adequate opportunity to participate in the making of policy for the system;

"(ix) provide, without prior inquiry as to ability to pay, necessary emergency medical services to all patients requiring such services;

"(x) provide for transfer of patients to facilities and programs which offer such followup care and rehabilitation as is neces-

sary to effect the maximum recovery of the patient;

"(xi) provide for a standardized patient recordkeeping system meeting appropriate standards established by the Secretary, which records shall cover the treatment of the patient from initial entry into the system through his discharge from it, and shall be consistent with ensuing patient records used in followup care and rehabilitation of the patient;

"(xii) provide programs of public education and information in the system's service area (taking into account the needs of visitors to, as well as residents of, that area to know or be able to learn immediately the means of obtaining emergency medical services) which programs stress the general dissemination of information regarding appropriate methods of medical self-help and first-aid and regarding the availability of first-aid training programs in the area;

"(xiii) provide for (I) periodic, comprehensive, and independent review and evaluation of the extent and quality of the emergency health care services provided in the system's service area, and (II) submission to the Secretary of the reports of each such review and evaluation;

"(xiv) have a plan to assure that the system will be capable of providing emergency medical services in the system's service area during mass casualties, natural disasters, or national emergencies; and

"(xv) provide for the establishment of appropriate arrangements with emergency medical services systems or similar entities serving neighboring areas for the provision of emergency medical services on a reciprocal basis where access to such services would be more appropriate and effective in terms of the services available, time, and distance.

The Secretary shall by regulations prescribe standards and criteria for the requirements prescribed by this subparagraph. In prescribing such standards and criteria, the Secretary shall consider relevant standards and criteria prescribed by other public agencies and by private organizations.

"(c) Payments under grants and contracts under this title may be made in advance or by way of reimbursement and in such installments and on such conditions as the Secretary determines will most effectively carry out this title.

"(d) Contracts may be entered into under this title without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(e) No funds appropriated under any provision of this Act other than section 1207 or title VII may be used to make a new grant or contract in any fiscal year for a purpose for which a grant or contract is authorized by this title unless (1) all the funds authorized to be appropriated by section 1207 for such fiscal year have been appropriated and made available for obligation in such fiscal year, and (2) such new grant or contract is made in accordance with the requirements of this title that would be applicable to such grant or contract if it was made under this title. For purposes of this subsection, the term 'new grant or contract' means a grant or contract for a program or project for which an application was first submitted after the date of the enactment of the Act which makes the first appropriations under the authorizations contained in section 1207.

"(f)(1) In determining the amount of any grant or contract under section 1203 or 1204, the Secretary shall take into consideration the amount of funds available to the applicant from Federal grant or contract programs under laws other than this Act for any activity which the applicant proposes to undertake in connection with the establishment and operation or expansion and improvement of an emergency medical services system and for which the Secretary may authorize the use of funds under a grant or contract under sections 1203 and 1204.

"(2) The Secretary may not authorize the recipient of a grant or contract under section 1203 or 1204 to use funds under such grant or contract for any training program in connection with an emergency medical services system unless the applicant filed an application (as appropriate) under title VII or VIII for a grant or contract for such program and such application was not approved or was approved but for which no or inadequate funds were made available under such title.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1207. (a)(1) For the purpose of making payments pursuant to grants and contracts under sections 1202, 1203, and 1204, there are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1974, and $60,000,000 for the fiscal year ending June 30, 1975; and for the purpose of making payments pursuant to grants and contracts under sections 1203 and 1204 for the fiscal year ending June 30, 1976, there are authorized to be appropriated $70,000,000.

"(2) Of the sums appropriated under paragraph (1) for any fiscal year not less than 15 per centum shall be made available for grants and contracts under this title for such fiscal year for emergency medical services systems which serve or will serve rural areas (as defined in regulations of the Secretary under section 1203(c)(5)).

"(3) Of the sums appropriated under paragraph (1) for the fiscal year ending June 30, 1974, or the succeeding fiscal year—

"(A) 15 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1202 (relating to feasibility studies and planning) for such fiscal year;

"(B) 60 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1203 (relating to establishment and initial operation) for such fiscal year; and

"(C) 25 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1204 (relating to expansion and improvement) for such fiscal year.

"(4) Of the sums appropriated under paragraph (1) for the fiscal year ending June 30, 1976—

"(A) 75 per centum of such sums shall be made available only for grants and contracts under section 1203 for such fiscal year, and

"(B) 25 per centum of such sums shall be made available only for grants and contracts under section 1204 for such fiscal year.

"(b) For the purpose of making payments pursuant to grants and contracts under section 1205 (relating to research), there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1974, and for each of the next two fiscal years.

"ADMINISTRATION

"SEC. 1208. The Secretary shall administer the program of grants and contracts authorized by this title through an identifiable administrative unit within the Department of Health, Education, and Welfare. Such unit shall also be responsible for collecting, analyzing, cataloging, and disseminating all data useful in the development and operation of emergency medical services systems, including data derived from reviews and evaluations of emergency medical services systems assisted under section 1203 or 1204.

"INTERAGENCY COMMITTEE ON EMERGENCY MEDICAL SERVICES

"SEC. 1209. (a) The Secretary shall establish an Interagency Committee on Emergency Medical Services. The Committee shall evaluate the adequacy and technical soundness of all Federal programs and activities which relate to emergency medical services and provide for the communication and exchange of information necessary to maintain the coordination and effectiveness of such programs and activities, and shall make recommendations to the Secretary respecting the administration of the program of grants and contracts under this title (including the making of regulations for such program).

"(b) The Secretary or his designee shall serve as Chairman of the Committee, the membership of which shall include (1) appropriate scientific, medical, or technical representation from the Department of Transportation, the Department of Justice, the Department of Defense, the Veterans' Administration, the National Science Foundation, the Federal Communications Commission, the National Academy of Sciences, and such other Federal agencies and offices (including appropriate agencies and offices of the Department of Health, Education, and Welfare), as the Secretary affecting the functions or responsibilities of emergency medical services systems, and (2) five individuals from the general public appointed by the President from individuals who by virtue of their training or experience are particularly qualified to participate in the performance of the Committee's functions. The Committee shall meet at the call of the Chairman, but not less often than four times a year.

"(c) Each appointed member of the Committee shall be appointed for a term of four years, except that—

"(1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

"(2) of the members first appointed, two shall be appointed for a term of four years, two shall be appointed for a term of three years, and one shall be appointed for a term of one year, as designated by the President at the time of appointment.

Appointed members may serve after the expiration of their terms until their successors have taken office.

"(d) Appointed members of the Committee shall receive for each day they are engaged in the performance of the functions of the Committee compensation at rates not to exceed the daily equivalent of the annual rate in effect for grade GS-18 of the General Schedule, including traveltime; and all members, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as such expenses are authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(e) The Secretary shall make available to the Committee such staff, information (including copies of reports of reviews and evaluations of emergency medical services systems assisted under section 1203 or 1204), and other assistance as it may require to carry out its activities effectively.

"ANNUAL REPORT

"SEC. 1210. The Secretary shall prepare and submit annually to the Congress a report on the administration of this title. Each report shall include an evaluation of the adequacy of the provision of emergency medical services in the United States during the period covered by the report, and evaluation of the extent to which the needs for such services are being adequately met through assistance provided under this title, and his recommendations for such legislation as he determines is required to provide emergency medical services at a level adequate to meet such needs. The first report under this section shall be submitted not later than September 30, 1974, and shall cover the fiscal year ending June 30, 1974."

(b)(1) Section 1 of the Public Health

Service Act is amended by striking out "titles I to XI" and inserting in lieu thereof "titles I to XII".

(2) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title XII (as in effect prior to the date of enactment of this Act) as title XIII, and by renumbering sections 1201 through 1214 (as in effect prior to such date), and references thereto, as sections 1301 through 1314, respectively.

TRAINING ASSISTANCE

SEC. 3. (a) Part E of title VII of the Public Health Service Act is amended by inserting after section 775 the following new section:

"TRAINING IN EMERGENCY MEDICAL SERVICES

"SEC. 776. (a) The Secretary may make grants to and enter into contracts with schools of medicine, dentistry, osteopathy, and nursing, training centers for allied health professions, and other appropriate educational entities to assist in meeting the cost of training programs in the techniques and methods of providing emergency medical services (including the skills required in connection with the provision of ambulance service), especially training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act.

"(b) No grant or contract may be made or entered into under this section unless (1) the applicant is a public or nonprofit private entity, and (2) an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe.

"(c) The amount of any grant or contract under this section shall be determined by the Secretary. Payments under grants and contracts under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary. Grantees and contractees under this section shall make such reports at such intervals, and containing such information, as the Secretary may require.

"(d) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(e) For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1974."

(b) Section 772(a) of such Act (42 U.S.C. 295f–2(a)) is amended—

(1) by striking out "or" at the end of paragraph (12),

(2) by striking out the period at the end of paragraph (13) and inserting in lieu thereof "; or", and

(3) by inserting after paragraph (13) the following new paragraph:

"(14) establish and operate programs in the interdisciplinary training of health personnel for the provision of emergency medical services, with particular emphasis on the establishment and operation of training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act."

(c) Section 774(a)(1)(D) of such Act (42 U.S.C. 295f–4(a)(1)(D)) is amended by inserting "(including emergency medical services" after "services" each time it appears.

STUDY

SEC. 4. The Secretary of Health, Education, and Welfare shall conduct a study to determine the legal barriers to the effective delivery of medical care under emergency conditions. The study shall include consideration of the need for a uniform conflict of laws rule prescribing the law applicable to the provision of emergency medical services to persons in the course of travels on interstate common carriers. Within twelve months of the date of the enactment of this Act, the Secretary shall report to the Congress the results of such study and recommendations for such legislation as may be necessary to overcome such barriers and provide such rule.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. ROY

Mr. ROY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROY: Page 7, insert "(i)" after "exceed" in line 21, and insert before the period at the end of line 22 the following: ", or (ii) in the case of a project for an emergency medical services system for a rural area, 75 per centum of the cost of that project (as so determined)".

Mr. ROY. Mr. Chairman, the amendment is a simple amendment.

Under the section on grants and contracts for expansion and improvement of Emergency Medical Services Systems, there is permission for grants and contracts not to exceed 50 percent in all other areas.

The amendment provides for the Secretary to go to 75 percent in rural areas.

The purpose of this is that in rural areas financial resources are frequently less and often rural areas have more to do to develop their medical services systems than urban areas.

Mr. STAGGERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am agreeable to the amendment.

Mr. NELSEN. Mr. Chairman, I move to strike the last word.

I just want to comment that in the hearings in our committee, two of our members were very concerned about the rural areas and the lack of assurances that an adequate effort will be made to support EMS programs in these localities.

The two gentlemen I speak of are Dr. CARTER and Dr. ROY. Both these doctors ought to know this subject. Both these gentlemen today got the idea and are going to offer an amendment. They agreed on it and are going down the road together in support of this amendment, which I believe makes this an even more acceptable bill that will do a better job.

Mr. GROSS. Mr. Chairman, I move to strike the penultimate word.

Mr. Chairman, far be it from me to strike a discordant note in this love feast that is going on now with respect to this bill.

I would just like to ask the Chairman of the Committee one simple question, and that is:

How much is this bill going to cost in total?

Mr. STAGGERS. Mr. Chairman, if the gentleman will yield, the total authorization is $185 million for a 3-year period, and we hope, I will inform the gentleman from Iowa, that at the end of that time we will not have to come back.

Mr. GROSS. Did the gentleman say the figure is $185 million?

Mr. STAGGERS. The gentleman is correct. That is less than $63 million a year.

Mr. GROSS. Mr. Chairman, I will not ask the gentleman the $64 question or the $164 question, which is: Where he proposes to get the money for this new and costly program.

I will simply thank him for his response, wish the taxpayers a good afternoon and yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. ROY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CARTER

Mr. CARTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CARTER: Page 18, line 23, strike out "15 per centum" and insert in lieu thereof "20 per centum".

Mr. CARTER. Mr. Chairman, I will be quite brief.

As it happens, 66 percent of the accidental deaths occurring in the United States occur in rural areas. The rural areas, we can see, are ill prepared at the present time to take care of these accidents, and that is one of the reasons why we have so many of these deaths.

This amendment would provide that 20 percent of the funds authorized would go to rural areas. It is just that short and simple, and I urge support of this amendment.

I am happy to have worked closely with the distinguished gentleman from Kansas (Mr. ROY) toward the development of amendments emphasizing the needs of our rural areas.

The bill itself will be helpful in supplying emergency medical care to the sick and injured throughout our country. Transportation will be afforded by means of this bill by land, air, or water to assist those who are injured or who are sick.

Funds for training physicians, doctors, dentists and allied medical professionals in emergency medical services will be supported by the Federal Government so that if seriously sick or dangerously injured an individual will receive the best in emergency medical care.

Mr. STAGGERS. Mr. Chairman, I move to strike the requisite number of words.

I would like to commend the gentleman from Kentucky and the gentleman from Kansas for offering the amendments they have. I think they are really essential in order to make this a good bill. It is a good bill now, but they make it more equitable and it goes to the very heart of the problem, Dr. CARTER has said.

Sixty-six percent of accidents in these rural areas occur and they are ill prepared to handle them and need help.

This side of the committee accepts it, and I personally accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky (Mr. CARTER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROY

Mr. ROY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROY: Page 8, insert at the end of line 3 the following: "The Secretary shall give special consideration to applications for grants or contracts for research relating to the delivery of emergency medical services in rural areas."

Mr. ROY. Mr. Chairman, I think the amendment speaks for itself. Again this is a part of the three amendments on which I worked with the distinguished gentleman from Kentucky (Mr. CARTER).

This simply states that the Secretary is directed by the legislation to give special consideration for applications and grants for research relating to the delivery of emergency medical services, again emphasizing the rural areas.

Mr. STAGGERS. Mr. Chairman, I move to strike the requisite number of words.

I might say this is a part of the agreement worked out. I think this, too, is very essential for the rural areas. I am prepared to accept the amendment, and all on this side are, too.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. ROY).

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments? If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MATSUNAGA, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee having had under consideration the bill (H.R. 10956) Emergency Medical Services Systems Act of 1973, pursuant to House Resolution 655, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. STAGGERS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 364, nays 18, not voting 52, as follows:

[Roll No. 552]

YEAS—364

Abdnor	Downing	Landrum
Abzug	Drinan	Latta
Adams	Dulski	Leggett
Addabbo	Duncan	Lehman
Alexander	du Pont	Lent
Anderson, Calif.	Eckhardt	Litton
	Edwards, Ala.	Long, La.
Anderson, Ill.	Edwards, Calif.	Long, Md.
Andrews, N.C.	Eilberg	Lott
Andrews, N. Dak.	Erlenborn	Lujan
	Esch	McClory
Annunzio	Eshleman	McCloskey
Arends	Evans, Colo.	McCollister
Armstrong	Evins, Tenn.	McCormack
Ashbrook	Fascell	McDade
Ashley	Findley	McEwen
Aspin	Fish	McFall
Badillo	Fisher	McKay
Baker	Flood	McKinney
Barrett	Flowers	McSpadden
Bauman	Foley	Madden
Beard	Ford, Gerald R.	Madigan
Bell	Ford, William D.	Mallary
Bennett		Mann
Bergland	Forsythe	Maraziti
Bevill	Fountain	Martin, Nebr.
Biaggi	Fraser	Martin, N.C.
Biester	Frelinghuysen	Mathias, Calif.
Bingham	Frenzel	Mathis, Ga.
Boggs	Frey	Matsunaga
Boland	Froehlich	Mayne
Bowen	Fulton	Mazzoli
Brademas	Fuqua	Meeds
Bray	Gaydos	Melcher
Breaux	Giaimo	Metcalfe
Breckinridge	Gibbons	Mezvinsky
Brinkley	Gilman	Michel
Brooks	Ginn	Miller
Broomfield	Goldwater	Minish
Brotzman	Gonzalez	Mink
Brown, Calif.	Goodling	Minshall, Ohio
Brown, Mich.	Grasso	Mitchell, Md.
Broyhill, N.C.	Green, Pa.	Mitchell, N.Y.
Broyhill, Va.	Griffiths	Mizell
Burgener	Gude	Moakley
Burke, Calif.	Gunter	Mollohan
Burke, Mass.	Guyer	Montgomery
Burlison, Mo.	Haley	Moorhead, Calif.
Butler	Hamilton	
Byron	Hammer-schmidt	Morgan
Camp		Murphy, Ill.
Carey, N.Y.	Hanley	Murphy, N.Y.
Carney, Ohio	Hanna	Natcher
Carter	Hanrahan	Nedzi
Casey, Tex.	Hansen, Idaho	Nelsen
Cederberg	Harsha	Nichols
Chamberlain	Hays	Nix
Chappell	Hébert	Obey
Chisholm	Hechler, W. Va.	O'Brien
Clancy	Heckler, Mass.	O'Hara
Clark	Heinz	O'Neill
Clausen, Don H.	Helstoski	Owens
	Henderson	Parris
Clay	Hicks	Passman
Cleveland	Hillis	Patman
Cochran	Hinshaw	Patten
Cohen	Hogan	Pepper
Collier	Holifield	Perkins
Collins, Ill.	Holt	Pettis
Conable	Holtzman	Peyser
Conte	Horton	Pickle
Corman	Hosmer	Pike
Cotter	Howard	Poage
Coughlin	Huber	Podell
Cronin	Hudnut	Powell, Ohio
Culver	Hungate	Preyer
Daniel, Dan	Hunt	Price, Ill.
Daniel, Robert W., Jr.	Jarman	Price, Tex.
	Johnson, Calif.	Pritchard
Daniels, Dominick V.	Johnson, Pa.	Quie
	Jones, Ala.	Quillen
Danielson	Jones, N.C.	Railsback
Davis, Ga.	Jones, Okla.	Rangel
Davis, S.C.	Jones, Tenn.	Regula
Davis, Wis.	Jordan	Reuss
de la Garza	Karth	Rhodes
Delaney	Kastenmeier	Rinaldo
Dellenback	Kazen	Roberts
Dellums	Keating	Robison, N.Y.
Denholm	Kemp	Roe
Dent	King	Rogers
Devine	Kluczynski	Roncalio, Wyo.
Dickinson	Koch	Roncallo, N.Y.
Diggs	Kuykendall	Rooney, N.Y.
Donohue	Kyros	Rooney, Pa.
Rose	Stark	Ware
Rosenthal	Steed	Whalen
Rostenkowski	Steelman	White
Roush	Steiger, Wis.	Whitehurst
Rousselot	Stephens	Whitten
Roy	Stokes	Widnall
Roybal	Stratton	Williams
Runnels	Stubblefield	Wilson, Bob
Ruppe	Stuckey	Wilson, Charles H., Calif.
Ruth	Studds	
Sarasin	Sullivan	
Sarbanes	Symington	Wilson, Charles, Tex.
Satterfield	Talcott	
Scherle	Taylor, Mo.	Winn
Schneebeli	Taylor, N.C.	Wolff
Schroeder	Teague, Calif.	Wyatt
Sebelius	Thompson, N.J.	Wydler
Seiberling	Thomson, Wis.	Wylie
Shipley	Thone	Wyman
Shoup	Thornton	Yates
Shuster	Tiernan	Yatron
Sikes	Towell, Nev.	Young, Alaska
Skubitz	Udall	Young, Fla.
Smith, Iowa	Ullman	Young, Ga.
Snyder	Vander Jagt	Young, Ill.
Spence	Vanik	Young, S.C.
Staggers	Veysey	Young, Tex.
Stanton, J. William	Vigorito	Zablocki
	Waggonner	Zion
Stanton, James V.	Walsh	Zwach
	Wampler	

NAYS—18

Archer	Gross	Robinson, Va.
Burleson, Tex.	Hutchinson	Smith, N.Y.
Collins, Tex.	Ichord	Steiger, Ariz.
Crane	Landgrebe	Symms
Dennis	Mahon	Treen
Flynt	Rarick	Wiggins

NOT VOTING—52

Bafalis	Grover	Rees
Blackburn	Gubser	Reid
Blatnik	Hansen, Wash.	Riegle
Bolling	Harrington	Rodino
Brasco	Harvey	Ryan
Brown, Ohio	Hastings	St Germain
Buchanan	Hawkins	Sandman
Burke, Fla.	Johnson, Colo.	Saylor
Burton	Ketchum	Shriver
Clawson, Del	Macdonald	Sisk
Conlan	Mailliard	Slack
Conyers	Milford	Steele
Derwinski	Mills, Ark.	Teague, Tex.
Dingell	Moorhead, Pa.	Van Deerlin
Dorn	Mosher	Waldie
Gettys	Moss	Wright
Gray	Myers	
Green, Oreg.	Randall	

So the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Blatnik with Mr. Moorhead of Pennsylvania.

Mr. Rodino with Mr. Ryan.

Mrs. Hansen of Washington with Mr. Waldie.

Mr. Teague of Texas with Mr. Wright.

Mr. Harrington with Mr. Shriver.

Mr. Brasco with Mr. Mailliard.

Mr. Burton with Mr. Harvey.

Mr. Macdonald with Mr. Burke of Florida.

Mr. Mills of Arkansas with Mr. Del Clawson.

Mr. Moss with Mr. Hastings.

Mr. Reid with Mr. Buchanan.

Mr. Sisk with Mr. Grover.

Mr. St Germain with Mr. Conlon.

Mr. Conyers with Mr. Rees.

Mr. Dingell with Mr. Hawkins.

Mr. Gettys with Mr. Myers.

Mr. Dorn with Mr. Bafalis.

Mr. Gray with Mr. Sandman.

Mrs. Green of Oregon with Mr. Mosher.

Mr. Randall with Mr. Blackburn.

Mr. Milford with Mr. Saylor.

Mr. Riegle with Mr. Derwinski.

Mr. Slack with Mr. Brown of Ohio.

Mr. Van Deerlin with Mr. Steele.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 655, the Com-

mittee on Interstate and Foreign Commerce is discharged from the further consideration of the Senate bill (S. 2410) to amend the Public Health Service Act to provide assistance and encouragement for the development of comprehensive area emergency medical service systems.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of the bill S. 2410 and to insert in lieu thereof the provisions of H.R. 10956, as passed, as amended, as follows:

SHORT TITLE

SECTION 1. This Act may be cited as the "Emergency Medical Services Systems Act of 1973".

EMERGENCY MEDICAL SERVICES SYSTEM

SEC. 2. (a) The Public Health Service Act is amended by adding at the end thereof the following new title:

"TITLE XII—EMERGENCY MEDICAL SERVICES SYSTEMS

"DEFINITIONS

"SEC. 1201. For purposes of this title:

"(1) The term 'emergency medical services system' means a system which provides for the arrangement of personnel, facilities, and equipment for the effective and coordinated delivery in an appropriate geographical area of health care services under emergency conditions (occurring either as a result of the patient's condition or of natural disasters or similar situations) and which is administered by a public or nonprofit private entity which has the authority and the resources to provide effective administration of the system.

"(2) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(3) The term 'modernization' means the alteration, major repair (to the extent permitted by regulations), remodeling, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

"(4) The term 'section 314(a) State health planning agency' means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a).

"(5) The term 'section 314(b) areawide health planning agency' means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b), and the term 'section 314(b) plan' means a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b).

"GRANTS AND CONTRACTS FOR FEASIBILITY STUDIES AND PLANNING

"SEC. 1202. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for projects which include both (1) studying the feasibility of establishing (through expansion or improvement of existing services or otherwise) and operating an emergency medical services system, and (2) planning the establishment and operation of such a system.

"(b) If the Secretary makes a grant or enters into a contract under this section for a study and planning project respecting an emergency medical services system for a particular geographical area, the Secretary may not make any other grant or enter into any other contract under this section for such project, and he may not make a grant or enter into a contract under this section for any other study and planning project respecting an emergency medical services system for the same area or for an area which includes (in whole or substantial part) such area.

"(c) Reports of the results of any study and planning project assisted under this section shall be submitted to the Secretary and the Interagency Committee on Emergency Medical Services at such intervals as the Secretary may prescribe, and a final report of such results shall be submitted to the Secretary and such Committee not later than one year from the date the grant was made or the contract entered into, as the case may be.

"(d) An application for a grant or contract under this section shall—

"(1) demonstrate to the satisfaction of the Secretary the need of the area for which the study and planning will be done for an emergency medical services system;

"(2) contain assurances satisfactory to the Secretary that the applicant is qualified to plan an emergency medical services system for such area; and

"(3) contain assurances satisfactory to the Secretary that the planning will be conducted in cooperation (A) with each section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such area, and (B) with any emergency medical services council or other entity responsible for review and evaluation of the provision of emergency medical services in such area.

"(e) The amount of any grant under this section shall be determined by the Secretary.

"GRANTS AND CONTRACTS FOR ESTABLISHING AND INITIAL OPERATION

"SEC. 1203. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for the establishment and initial operation of emergency medical services systems.

"(b) Special consideration shall be given to applications for grants and contracts for systems which will coordinate with statewide emergency medical services system.

"(c)(1) Grants and contracts under this section may be used for the modernization of facilities for emergency medical services systems and other costs of establishment and initial operation.

"(2) Each grant or contract under this section shall be made for costs of establishment and operation in the year for which the grant or contract is made. If a grant or contract is made under this section for a system, the Secretary may make one additional grant or contract for that system if he determines, after a review of the first nine months' activities of the applicant carried out under the first grant or contract, that the applicant is satisfactorily progressing in the establishment and operation of the system in accordance with the plan contained in his application (pursuant to section 1206(b)(4)) for the first grant or contract.

"(3) No grant or contract may be made under this section for the fiscal year ending June 30, 1976, to an entity which did not receive a grant or contract under this section for the preceding fiscal year.

"(4) Subject to section 1206(f)—

"(A) the amount of the first grant or contract under this section for an emergency medical services system may not exceed (i) 50 per centum of the establishment and operation costs (as determined pursuant to regulations of the Secretary) of the system for the year for which the grant or contract is made, or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 75 per centum of such costs for such year; and

"(B) the amount of the second grant or contract under this section for a system may not exceed (i) 25 per centum of the establishment and operation costs (as determined pursuant to regulations of the Secretary) of the system for the year for which the grant or contract is made, or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 50 per centum of such costs for such year.

"(5) In considering applications which demonstrate exceptional need for financial assistance, the Secretary shall give special consideration to applications submitted for emergency medical services systems for rural areas (as defined in regulations of the Secretary).

"GRANTS AND CONTRACTS FOR EXPANSION AND IMPROVEMENT

"SEC. 1204. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for projects for the expansion and improvement of emergency medical services systems, including the acquisition of equipment and facilities, the modernization of facilities, and other projects to expand and improve such systems.

"(b) Subject to section 1206(f), the amount of any grant or contract under this section for a project shall not exceed (i) 50 per centum of the cost of that project (as determined pursuant to regulations of the Secretary, or (ii) in the case of a project for an emergency medical services system for a rural area, 75 per centum of the cost of that project (as so determined).

"GRANTS AND CONTRACTS FOR RESEARCH

"SEC. 1205. (a) The Secretary may make grants to public or private nonprofit entities, and enter into contracts with private entities and individuals, for the support of research in emergency medical techniques, methods, devices, and delivery. The Secretary shall give special consideration to applications for grants or contracts for research relating to the delivery of emergency medical services in rural areas.

"(b) No grant may be made or contract entered into under this section for amounts in excess of $35,000 unless the application therefor has been recommended for approval by an appropriate peer review panel designated or established by the Secretary. Any application for a grant or contract under this section shall be submitted in such form and manner, and contain such information, as the Secretary shall prescribe in regulations.

"(c) The recipient of a grant or contract under this section shall make such reports to the Secretary as the Secretary may require.

"GENERAL PROVISIONS RESPECTING GRANTS AND CONTRACTS

"SEC. 1206. (a) For purposes of sections 1202, 1203, and 1204, the term 'eligible entity' means—

"(1) a State,

"(2) a unit of general local government,

"(3) a public entity administering a compact or other regional arrangement or consortium, or

"(4) any other public entity and any nonprofit private entity.

"(b)(1) No grant or contract may be made under this title unless an application therefor has been submitted to, and approved by, the Secretary.

"(2) In considering applications submitted under this title, the Secretary shall give priority to applications submitted by the entities described in clauses (1), (2), and (3) of subsection (a).

"(3) No application for a grant or contract under section 1202 may be approved unless—

"(A) the application meets the application requirements of such section;

"(B) in the case of an application submitted by a public entity administering a compact or other regional arrangement or consortium, the compact or other regional arrangement or consortium includes each unit of general local government of each standard metropolitan statistical area (as determined by the Office of Management and Budget) located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted;

"(C) in the case of an application submitted by an entity described in clause (4) of subsection (a), such entity has provided a copy of its application to each entity described in clauses (1), (2), and (3) of such subsection which is located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted and has provided each such entity a reasonable opportunity to submit to the Secretary comments on the application;

"(D) the—

"(i) section 314(a) State health planning agency of each State in which the service area of the emergency medical services system for which the application is submitted will be located, and

"(ii) section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the service area of such system, have had not less than thirty days (measured from the date a copy of the application was submitted to the agency by the applicant) in which to comment on the application;

"(E) the applicant agrees to maintain such records and make such reports to the Secretary as the Secretary determines are necessary to carry out the provisions of this title; and

"(F) the application is submitted in such form and such manner and contains such information (including specification of applicable provisions of law or regulations which restrict the full utilization of the training and skills of health professions and allied and other health personnel in the provision of health care services in such a system) as the Secretary shall prescribe in regulations.

"(4)(A) An application for a grant or contract under section 1203 or 1204 may not be approved by the Secretary unless (i) the application meets the requirements of subparagraphs (B) through (F) of paragraph (3), and (ii) except as provided in subparagraph (B)(ii), the applicant (I) demonstrates to the satisfaction of the Secretary that the emergency medical services system for which the application is submitted will, within the period specified in subparagraph (B)(i), meet each of the emergency medical services system requirements specified in subparagraph (C), and (II) provides in the application a plan satisfactory to the Secretary for the system to meet each such requirement within such period.

"(B)(i) The period within which an emergency medical services system must meet each of the requirements specified in subparagraph (A) is the period of the grant or contract for which application is made; except that if the applicant demonstrates to the satisfaction of the Secretary the inability of the applicant's emergency medical services system to meet one or more of such requirements within such period, the period (or periods within which the system must meet such requirement (or requirements) is such period (or periods) as the Secretary may require.

"(ii) If an applicant submits an application for a grant or contract under section 1203 or 1204 and demonstrates to the satisfaction of the Secretary the inability of the system for which the application is submitted to meet one or more of the requirements specified in subparagraph (C) within any specific period of time, the demonstration and plan prerequisites prescribed by clause (ii) of subparagraph (A) shall not apply with respect to such requirement (or requirements) and the applicant shall provide in his application a plan, satisfactory to the Secretary, for achieving appropriate alternatives to such requirement (or requirements).

"(C) An emergency medical services system shall—

"(i) include an adequate number of health professions, allied health professions, and other health personnel with appropriate training and experience;

"(ii) provide for its personnel appropriate training (including clinical training) and continuing education programs which (I) are coordinated with other programs in the system's service area which provide similar training and education, and (II) emphasize recruitment and necessary training of veterans of the Armed Forces with military training and experience in health care fields and of appropriate public safety personnel in such area;

"(iii) join the personnel, facilities, and equipment of the system by a central communications system so that requests for emergency health care services will be handled by a communications facility which (I) utilizes emergency medical telephonic screening, (II) utilizes or, within such period as the Secretary prescribes will utilize, the universal emergency telephone number 911, and (III) will have direct communication connections and interconnections with the personnel, facilities, and equipment of the system and with other appropriate emergency medical services systems;

"(iv) include an adequate number of necessary ground, air, and water vehicles and other transportation facilities to meet the individual characteristics of the system's service area—

"(I) which vehicles and facilities meet appropriate standards relating to location, design, performance, and equipment, and

"(II) the operators and other personnel for which vehicles and facilities meet appropriate training and experience requirements;

"(v) include an adequate number of easily accessible emergency medical services facilities which are collectively capable of providing services on a continuous basis, which have appropriate nonduplicative and categorized capabilities, which meet appropriate standards relating to capacity, location, personnel, and equipment, and which are coordinated with other health care facilities of the system;

"(vi) provide access (including appropriate transportation) to specialized critical medical care units in the system's service area, or, if there are no such units or an inadequate number of them in such area, provide access to such units in neighboring areas if access to such units is feasible in terms of time and distance;

"(vii) provide for the effective utilization of the appropriate personnel, facilities, and equipment of each public safety agency providing emergency services in the system's service area;

"(viii) be organized in a manner that provides persons who reside in the system's service area and who have no professional training or financial interest in the provision of health care with an adequate opportunity to participate in the making of policy for the system;

"(ix) provide, without prior inquiry as to ability to pay, necessary emergency medical services to all patients requiring such services;

"(x) provide for transfer of patients to facilities and programs which offer such followup care and rehabilitation as is necessary to effect such followup care and rehabilitation as is necessary to effect the maximum recovery of the patient;

"(xi) provide for a standardized patient recordkeeping system meeting appropriate standards established by the Secretary, which records shall cover the treatment of the patient from initial entry into the system through his discharge from it, and shall be consistent with ensuing patient records used in followup care and rehabilitation of the patient;

"(xii) provide programs of public education and information in the system's service area (taking into account the needs of visitors to, as well as residents of, that area to know or be able to learn immediately the means of obtaining emergency medical services) which programs stress the general dissemination of information regarding appropriate methods of medical self-help and first-aid and regarding the availability of first-aid training programs in the area;

"(xiii) provide for (I) periodic, comprehensive, and independent review and evaluation of the extent and quality of the emergency health care services provided in the system's service area, and (II) submission to the Secretary of the reports of each such review and evaluation;

"(xiv) have a plan to assure that the system will be capable of providing emergency medical services in the system's service area during mass casualties, natural disasters, or national emergencies; and

"(xv) provide for the establishment of appropriate arrangements with emergency medical services systems or similar entities serving neighboring areas for the provision of emergency medical services on a reciprocal basis where access to such services would be more appropriate and effective in terms of the services available, time, and distance.

The Secretary shall by regulations prescribe standards and criteria for the requirements prescribed by this subparagraph. In prescribing such standards and criteria, the Secretary shall consider relevant standards and criteria prescribed by other public agencies and by private organizations.

"(c) Payments under grants and contracts under this title may be made in advance or by way of reimbursement and in such installments and on such conditions as the Secretary determines will most effectively carry out this title.

"(d) Contracts may be entered into under this title without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(e) No funds appropriated under any provision of this Act other than section 1207 or title VII may be used to make a new grant or contract in any fiscal year for a purpose for which a grant or contract is authorized by this title unless (1) all the funds authorized to be appropriated by section 1207 for such fiscal year have been appropriated and made available for obligation in such fiscal year, and (2) such new grant or contract is made in accordance with the requirements of this title that would be applicable to such grant or contract if it was made under this title. For purposes of this subsection the term 'new grant or contract' means a grant or contract for a program or project for which an application was first submitted after the date of the enactment of the Act which makes the first appropriations under the authorizations contained in section 1207.

"(f)(1) In determining the amount of any grant or contract under section 1203 or 1204, the Secretary shall take into consideration the amount of funds available to the applicant from Federal grant or contract programs under laws other than this Act for any activity which the applicant proposes to undertake in connection with the establishment and operation or expansion and improvement of an emergency medical services system and for which the Secretary may authorize the use of funds under a grant or contract under sections 1203 and 1204.

"(2) The Secretary may not authorize the recipient of a grant or contract under section 1203 or 1204 to use funds under such grant or contract for any training program in connection with an emergency medical services system unless the applicant filed an application (as appropriate) under title VII or VIII for a grant or contract for such program and such application was not approved or was approved but for which no or inadequate funds were made available under such title.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1207. (a) (1) For the purpose of making payments pursuant to grants and contracts under sections 1202, 1203, and 1204, there are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1974, and $60,000,000 for the fiscal year ending June 3, 1975; and for the purpose of making payments pursuant to grants and contracts under sections 1203 and 1204 for the fiscal year ending June 30, 1976, there are authorized to be appropriated $70,000,000.

"(2) Of the sums appropriated under paragraph (1) for any fiscal year, not less than 20 per centum shall be made available for grants and contracts under this title for such fiscal year for emergency medical services systems which serve or will serve rural areas (as defined in regulations of the Secretary under section 1203(c)(5)).

"(3) Of the sums appropriated under paragraph (1) for the fiscal year ending June 30, 1974, or the succeeding fiscal year—

"(A) 15 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1202 (relating to feasibility studies and planning) for such fiscal year;

"(B) 60 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1203 (relating to establishment and initial operation) for such fiscal year; and

"(C) 25 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1204 (relating to expansion and improvement) for such fiscal year.

"(4) Of the sums appropriated under paragraph (1) for the fiscal year ending June 30, 1976—

"(A) 75 per centum of such sums shall be made available only for grants and contracts under section 1203 for such fiscal year, and

"(B) 25 per centum of such sums shall be made available only for grants and contracts under section 1204 for such fiscal year.

"(b) For the purpose of making payments pursuant to grants and contracts under section 1205 (relating to research), there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1974, and for each of the next two fiscal years.

"ADMINISTRATION

"SEC. 1208. The Secretary shall administer the program of grants and contracts authorized by this title through an identifiable administrative unit within the Department of Health, Education, and Welfare. Such unit shall also be responsible for collecting, analyzing, cataloging, and disseminating all data useful in the development and operation of emergency medical services systems, including data derived from reviews and evaluations of emergency medical services systems assisted under section 1203 or 1204.

"INTERAGENCY COMMITTEE ON EMERGENCY MEDICAL SERVICES

"SEC. 1209. (a) The Secretary shall establish an Interagency Committee on Emergency Medical Services. The Committee shall evaluate the adequacy and technical soundness of all Federal programs and activities which relate to emergency medical services and provide for the communication and exchange of information necessary to maintain the coordination and effectiveness of such programs and activities, and shall make recommendations to the Secretary respecting the administration of the program of grants and contracts under this title (including the making of regulations for such program).

"(b) The Secretary or his designee shall serve as Chairman of the Committee, the membership of which shall include (1) appropriate scientific, medical, or technical representation from the Department of Transportation, the Department of Justice, the Department of Defense, the Veterans' Administration, the National Science Foundation, the Federal Communications Commission, the National Academy of Sciences, and such other Federal agencies and offices (including appropriate agencies and offices of the Department of Health, Education, and Welfare), as the Secretary determines administer programs directly affecting the functions or responsibilities of emergency medical services systems, and (2) five individuals from the general public appointed by the President from individuals who by virtue of their training or experience are particularly qualified to participate in the performance of the Committee's functions. The Committee shall meet at the call of the Chairman, but not less often than four times a year.

"(c) Each appointed member of the Committee shall be appointed for a term of four years, except that—

"(1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

"(2) of the members first appointed, two shall be appointed for a term of four years, two shall be appointed for a term of three years, and one shall be appointed for a term of one year, as designated by the President at the time of appointment.

Appointed members may serve after the expiration of their terms until their successors have taken office.

"(d) Appointed members of the Committee shall receive for each day they are engaged in the performance of the functions of the Committee compensation at rates not to exceed the daily equivalent of the annual rate in effect for grade GS–18 of the General Schedule, including traveltime; and all members, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as such expenses are authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(e) The Security shall make available to the Committee such staff, information (including copies of reports of reviews and evaluations of emergency medical services systems assisted under section 1203 or 1204), and other assistance as it may require to carry out its activities effectively.

"ANNUAL REPORT

"SEC. 1210. The Secretary shall prepare and submit annually to the Congress a report on the administration of this title. Each report shall include an evaluation of the adequacy of the provision of emergency medical services in the United States during the period covered by the report, and evaluation of the extent to which the needs for such services are being adequately met through assistance provided under this title, and his recommendations for such legislation as he determines is required to provide emergency medical services at a level adequate to meet such needs. The first report under this section shall be submitted not later than September 30, 1974, and shall cover the fiscal year ending June 30, 1974."

(b)(1) Section 1 of the Public Health Service Act is amended by striking out "titles I to XI" and inserting in lieu thereof "titles I to XII".

(2) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title XII (as in effect prior to the date of enactment of this Act) as title XIII, and by renumbering sections 1201 through 1214 (as in effect prior to such date), and references thereto, as sections 1301 through 1314, respectively.

TRAINING ASSISTANCE

SEC. 3. (a) Part E of title VII of the Public Health Service Act is amended by inserting after section 775 the following new section:

"TRAINING IN EMERGENCY MEDICAL SERVICES

"SEC. 776. (a) The Secretary may make grants to and enter into contracts with schools of medicine, dentistry, osteopathy, and nursing, training centers for allied health professions, and other appropriate educational entities to assist in meeting the cost of training programs in the techniques and methods of providing emergency medical services (including the skills required in connection with the provision of ambulance service), especially training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act.

"(b) No grant or contract may be made or entered into under this section unless (1) the applicant is a public or nonprofit private entity, and (2) an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe.

"(c) The amount of any grant or contract under this section shall be determined by the Secretary. Payments under grants and contracts under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary. Grantees and contractees under this section shall make such reports at such intervals, and containing such information, as the Secretary may require.

"(d) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(e) For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1974."

(b) Section 772(a) of such Act (42 U.S.C. 295f–2(a)) is amended—

(1) by striking out "or" at the end of paragraph (12),

(2) by striking out the period at the end of paragraph (13) and inserting in lieu thereof "; or", and

(3) by inserting after paragraph (13) the following new paragraph:

"(14) establish and operate programs in the interdisciplinary training of health personnel for the provision of emergency medical services, with particular emphasis on the establishment and operation of training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act."

(c) Section 774(a)(1)(D) of such Act (42 U.S.C. 295f–4(a)(1)(D)) is amended by inserting "(including emergency medical services" after "services" each time it appears.

STUDY

SEC. 4. The Secretary of Health, Education, and Welfare shall conduct a study to determine the legal barriers to the effective delivery of medical care under emergency conditions. The study shall include consideration of the need for a uniform conflict of laws rule prescribing the law applicable to the provision of emergency medical services to persons in the course of travels on interstate

common carriers. Within twelve months of the date of the enactment of this Act, the Secretary shall report to the Congress the results of such study and recommendations for such legislation as may be necessary to overcome such barriers and provide such role.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 10956) was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to further request of the gentleman from West Virginia?

There was no objection.

PERSONAL EXPLANATION

Mr. RODINO. Mr. Speaker, I would like to announce that I was on important committee business and that I failed to vote on the vote which was just taken. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. RANDALL. Mr. Speaker, I unavoidably missed the vote on the bill just passed due to official business.

Had I been present, I would have voted "aye."

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE REPORT

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight tonight to file the report on H.R. 11104, to provide for a temporary increase in the public debt ceiling, along with any supplemental and/or minority views.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader the program for the remainder of the week, if any, and the schedule for next week.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I am happy to yield to my friend from Massachusetts.

Mr. O'NEILL. I shall be happy to respond to the gentleman's inquiry.

Mr. Speaker, the program for the House of Representatives for the week of October 29, 1973, is as follows:

Monday, there will be no legislative business. The House will be in session.

Tuesday, there will be consideration of H.R. 9456, the drug abuse education extension bill, under an open rule with 1 hour of debate.

Wednesday, there are scheduled S. 1081, the conference report on the trans-Alaskan pipeline authorization, and the bill providing for the public debt limit increase, subject to a rule being granted.

For Thursday and the balance of the week, there are scheduled the vote on the veto override of House Joint Resolution 542, the war powers resolution; and H.R. 10265, audits of the Federal Reserve Board, subject to a rule being granted.

Conference reports may be brought up at any time, and any further program will be announced later.

I am sure Members are aware of the fact that there are many important conference committees meeting on pending legislation at the present time, and it could very well be that during the course of the week, after Monday, we will have conference reports to consider.

ADJOURNMENT OVER TO MONDAY, OCTOBER 29, 1973

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, in this mad rush to adjournment is any provision being made or is any plan being made for a recess for Thanksgiving and again for Christmas?

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. I must say that there was talk involving the leadership, in the whip organization meeting a week ago. Thanksgiving was informally discussed, and the tentative conclusion was that we would be in recess the week of Thanksgiving.

I am sure the gentleman is aware of the situation which exists around here, with the Senate majority leaders concerning the events of the last weekend. There is legislation pending before the Congress.

I am sure all Members are aware of the fact that an alert has taken place today.

The important legislation, other than that, which we had anticipated, would have been the debt limit bill, the trade bill and completion of action on the military procurement and construction authorization, as well as the bills for the defense procurement and construction appropriations, and the foreign affairs appropriations. That would have been the necessary legislation work for the year.

It is hard to estimate and it is hard to pin down any particular time when we are going to adjourn finally for the year. I would have to say that there are present plans for a week off at Thanksgiving time, with a great possibility that we would not be in on the Friday before that week and not be in on the Monday after. Those are in the formative stage. The Speaker will discuss the matter with the minority leader.

Mr. GROSS. I take it from those remarks Grandpa Gross can be prepared to wear his Christmas uniform in Washington?

Mr. O'NEILL. I say, not seriously of course, that the gentleman would not make much of a Santa Claus.

Mr. GROSS. With considerable respect, I do not propose to be a Santa Claus.

Let me ask the gentleman, in a more serious vein, when may we expect to get the conference report on the Defense Department procurement authorization bill?

Mr. O'NEILL. I would have to say that is subject to action by the gentleman from Louisiana (Mr. HÉBERT). After having talked with the gentleman I would say we can expect it to be called up next week.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE MIDDLE EAST SITUATION

(Mr. O'NEILL asked and was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, may I say that on my way to the White House this morning, to the briefing of the leadership on both sides of the aisle for the House and the Senate, I was listening to the radio and heard that we had an alert. When I arrived at the White House this morning, the President and Mr. Kissinger gave a confidential report to the leadership as to what the conditions were in the Middle East situation at that time.

Some of the Members, particularly on my side of the aisle, have questioned me about the meeting. I have been reluctant to say anything that transpired, because I feel it was confidential.

I actually believe that the Nation at this particular time is going through a very, very serious 24 or 48 hours. I must say, after having listened to the President and after having listened to Mr. Kissinger, to my mind there is absolutely nothing political in this matter.

Mr. Speaker, I want the Members of the Congress of the United States to know that the alert is of serious conse-

quence to our Nation. I hope that the matter which is presently before the world is settled in the U.N. within the next 24 hours.

I listened this morning to Mr. Kissinger in his briefing, and he discussed many of these matters with us. I do not want to go into these matters myself, but I do wish to address myself to the Members on my side of the aisle.

I want to say this to the Members: in time of crisis we stay together.

In my opinion, there is nothing political about what is going on now. It is really a deep and a serious matter, and it is one of great interest to this country.

PERSONAL EXPLANATION

Mr. GUBSER. Mr. Speaker, on the vote just concluded, on the consideration of the Emergency Medical Services Systems Act of 1973, I was present, I inserted my card, and voted "aye." I would like the RECORD to show that, although I was present and did vote "aye," this electronic device failed to record my vote.

PERSONAL EXPLANATION

Mr. SEIBERLING. Mr. Speaker, I missed the vote on the legislation which we enacted today, the Emergency Medical Services Systems Act of 1973, because I was unavoidably detained. Had I been present, I would have voted "aye."

A CHANCE FOR PEACE

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, the future of the Middle East is not much clearer now than it was before the new cease-fire was proposed and agreed to. On the Suez front the battle rages with each side blaming the other for the violation. In the north, Syria, showing her normal distrust for peace has not answered the proposals and Iraq has flatly rejected them. Still the prospects for temporary quiet are good by virtue of Israeli control of the military situation. The Egyptian forces on the East bank of Suez are threatened with annihilation and the Syrians have been neutralized.

If Mr. Kissinger and Mr. Brezhnev had agreed upon a settlement before the war broke out a great deal of suffering might have been avoided. The complicity of the Soviets in encouraging the fighting is clear. Nonetheless an agreement has now been reached and we must lay recriminations aside and look to the future. The terms of the cease-fire are ambiguous. They refer to an immediate implementation of the 1967 U.N. resolution. It is precisely the interpretation of the 1967 agreement that has been at issue these past 6 years. The Arabs hold that a complete Israeli withdrawal from all captured territories is a necessary prerequisite to a settlement, while Israel holds that any withdrawal can only be an element in a negotiated settlement for secure boundaries. The gulf is enormous.

But there is hope. Part of the cease-fire arrangement calls for negotiations to implement the 1967 resolution. If Egypt makes good on this promise there may at last be the direct negotiations which Israel has consistently maintained are the necessary first step towards peace. If both sides can modify their fears and their pride perhaps true progress can be made.

The Egyptians while, in the end, defeated in battle have demonstrated to themselves, to the world, and to the Israelis that they are brave men and good soldiers. Their army will not return home in the bitter disgrace which followed the 6-day war. This new-found self-confidence may enable them to deal more realistically at the conference table. The negotiations will, at best, be long and difficult and the security of Israel can in no wise be jeopardized; but the arrangement worked out with the Soviet Union does provide some hope for peace, if not for overconfidence.

All in all, I am truly gratified by the curernt policy of the U.S. Government. I only wish the administration were as rational in all its actions. In addition to achieving a cease-fire through diplomatic efforts, we have properly assured the military security of Israel. Already over $800 million worth of arms have been rushed to Israel to counter massive continuing shipments by the Russians to Syria and Egypt. The Soviet action left this country with no choice: Israel could not be left weaponless. I would also commend the administration's request for authority to provide $2.2 billion in military assistance to Israel.

In the past Israel has always paid for American arms and she will continue to do so to the extent possible. However, the enormous losses incurred in the war make it necessary to grant the President this new authority. The costs have been literally in the billions and these arms must be replaced as security needs dictate not according to an ability-to-pay timetable. The future is obscure and Israel must be safe if our hopes for peace are once again disappointed. I am confident that Congress will approve the President's request due speed.

PEANUT PROGRAM

(Mr. MATHIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MATHIS of Georgia. Mr. Speaker, yesterday morning the Secretary of Agriculture, Mr. Earl Butz, proved once again that this administration could care less about the farming community in this country. In proposing the new administrative changes for the 1974 peanut program, he not only displayed disdain for the farmer but a gross lack of knowledge about the actual growing of peanuts. Rather than delving on all the proposed changes, I think the new regulation to eliminate the transfer of allotments by lease or sale epitomizes the complete irrationality of the new decisions.

This one regulation could destroy the entire peanut program in itself for the simple reason that most farmers have already leased their allotments for the 1974 crops and in many cases the money has already changed hands.

While the Department is espousing the theory that agricultural exports will decrease our balance-of-trade deficits, they are playing God with individuals whose livelihood depends on making a livable income from farming, and I challenge Mr. Butz to closely examine the individual farmers while he is manipulating them on an international level.

Spokesmen for the Department made a commitment to the members of the Agriculture Committee that before any new changes were made that they would come to the Hill and sit down with us and discuss any new changes. Based on previous actions, I guess I should not have been so naive as to have believed them.

I would only remind the Secretary that behind his demagogic colloquy, the peanut community recognized the threat to destroy the program by administrative action if Congress does not pass new legislation. This threat is not new. as the Department knows, and when and if they come to discuss these proposals they had better have more accurate information than they have been publishing. I might also suggest to the Secretary that, instead of using consultants who probably think peanuts grow on trees, that he seek the advice of some Georgia farmers who make their living growing and selling peanuts.

Let me close, Mr. Speaker, by simply stating that this administration seems committed to the idea that if it runs out of people to alienate, it should double its efforts to find somebody new. I congratulate them on being successful once again.

REESTABLISHMENT OF THE OFFICE OF THE SPECIAL PROSECUTOR

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. COHEN. Mr. Speaker, during the past 5 days we have witnessed a display of national anger and concern which I believe has been seldom matched in this county's history. When on Friday evening, the President announced his compromise concerning the tapes and also instructed Mr. Cox as special prosecutor to cease and desist from further judicial efforts to secure tapes, notes and memoranda regarding the 1972 election and related events, a chain of events was set into motion which with the resignations of the Attorney General and Deputy Attorney General and the dismissal of the special prosecutor culminated in a true national crisis in confidence. The American people, whose Nation had been founded on the principles of equality and justice, suddenly felt that they could expect neither from their own Government, and they made it very clear that they would not tolerate this kind of situation.

The President's sudden decision Tuesday to submit the actual tapes to the

district court and his firm statement through his counsel Charles Alan Wright that he did not consider himself above the law, was a welcome and reassuring response to the intense public reaction, and I believe it has begun to dispel the terrible suspicions that the President was trying to circumvent justice.

Hopefully, the President will go even further tonight in his efforts to reassure the American people.

Regardless of these developments, however, one fact is still evident. Though the President has a constitutional right to dismiss Archibald Cox and abolish the Office of Special Prosecutor, his doing so was a principal factor in precipitating the present crisis. The firm reassurances of Acting Attorney General Bork that the Justice Department under Henry Peterson will continue to pursue the investigations started by the special prosecutor have done little to assure the public that criminal violations not related to the tapes will be vigorously investigated. I have come to believe, therefore, that only the appointment of a new special prosecutor under the old guarantees and guidelines of independence will be really effective in restoring the confidence of the Nation. For this reason, I am today introducing a resolution on behalf of myself and Congressman JOHN ANDERSON, HOWARD ROBISON, JOEL PRITCHARD, and RONALD SARASIN which urges the President to immediately reestablish the Office of the Special Prosecutor and to appoint a new Attorney General. The resolution also provides that before the Attorney General is confirmed he is to inform the Congress of whom he will name as Special Prosecutor and pledge that he will do everything in his power to protect the independence of that individual in fulfilling the duties of the office. Finally, the resolution provides, as an extra protection, that the Special Prosecutor himself would be subject to Senate confirmation.

There are several reasons behind the offering of this resolution. First, I feel it essential that the Congress clearly states that the Justice Department should not lack congressional confirmed and publicly supported leadership during this critical period when so many questions have been raised about the Department's ability to perform its responsibilities. Second, while I personally have every confidence in the ability and dedication of Mr. Bork and Mr. Peterson in the handling of the Watergate prosecution, I also realize that many others in this country have serious doubts about the amount of independence and flexibility they can actually maintain, faced as they are with inevitable pressures from both the White House and the public. In situations such as we are now facing, it is vital that we have not only justice, but the appearance of justice as well, and in my view only the reestablishment of the Special Prosecutor's Office can achieve this effectively.

The resolution also reflects my belief that the Office of the Special Prosecutor should continue to be located in the executive branch and within the Justice Department. I am aware of the bill that has been introduced by a number of my colleagues which would provide for reestablishing the office under the protection of the judicial branch with the new special prosecutor to be appointed by the chief judge of the U.S. District Court. I feel, however, that two serious objections can be raised to this approach. For one, there is considerable doubt whether it would be considered constitutionally correct. Regardless of individual opinion on this issue, it is certain that enactment of such legislation would lead to a protracted process of Presidential vetoes and/or challenges in the courts and thus divisiveness and delay. This would be incalculably discouraging and frustrating to the Nation. Second, I believe it could prove ultimately disastrous to the basic principle of separation of powers to fuse the judicial and executive functions. Even if the chief judge disqualifies himself from the case after appointing the special prosecutor, I fear that charges could develop of collusion between the prosecutor and the presiding judge, which would forever taint the impartiality of the judicial branch, however unfounded those charges might be.

It has been maintained that recent events have proven that it is impossible to have this investigation housed in the executive branch since it is pursuing possible misconduct of high executive officials. The dismissal of Mr. Cox by the President is cited as ultimate proof. In my opinion, however, the contrary is true. While Mr. Cox admittedly had great difficulties in procuring certain materials from the White House, I believe it would be even more difficult for an individual outside the executive branch and the Justice Department to obtain that information.

Also, the placement of the Office within the Justice Department actually insulated it from the White House, principally because of the Attorney-General's public commitment that he would work to maintain the independence and impartiality of that investigation. Because of that commitment, Special Prosecutor Cox was dismissed only after both the Attorney General and Deputy Attorney General had resigned. And I believe we would all admit that those resignations were a substantial reason for the intensity of feeling that developed in this country over the President's action and for the resulting decision of the President to submit the tapes. Recognizing the effectiveness of this mechanism, I believe that it should be continued, rather than taking the office out of executive branch or setting it up, as others have proposed as an independent agency. Further, I feel that the events of the past weekend will make it even more difficult for the President to discharge the special prosecutor without evidence of extreme improprieties and without the full support of the Attorney General.

In summary, I firmly believe that the most prompt and effective method of restoring public confidence is to reestablish the Office of the Special Prosecutor under procedures and guidelines which have already been established and proven effective. I hope that my colleagues will support me in this effort. Further, it is my hope and expectation that the President will agree to the wisdom of this course of action and act promptly to appoint a new Attorney General and provide for the continuation of the Office of Special Prosecutor.

DEATH OF THE HONORABLE FRANK SMALL, JR.

(Mrs. HOLT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. HOLT. Mr. Speaker, it is my sad duty to advise the House of the death of a former Representative, the Honorable Frank Small, Jr., of Maryland.

GENERAL LEAVE

Mrs. HOLT. Mr. Speaker, I ask that all Members may have 5 legislative days in which to extend their remarks in the RECORD relative to the life, character, and service of the late Honorable Frank Small, Jr.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

BRINKMANSHIP IN THE MIDEAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. MARAZITI) is recognized for 7 minutes.

Mr. MARAZITI. Mr. Speaker, the Mideast crisis rages with constant uncertainly. This morning's news weakens us with reports that U.S. troops are on Red alert. The cease-fire is uncertain with violations on both sides.

This is not new. History is lined with evidence that cease-fires can rarely be successsfully imposed on nations at war.

What then will be the future of the U.S. role?

We are presently supplying Israel with major items of military weapons.

To date, we have already supplied over $800 million worth of material. On Tuesday, the President requested an additional $2.2 billion of military aid for Israel.

Presently, we are supplying these items on a cash-credit basis. However, buried in the President's message is the possibility of grant assistance as well.

The legislation the Executive asks us to pass gives him the authority to release Israel from its contractual obligation to pay for those defense articles and services, leaving the burden to the American taxpayer.

I do not object to the sale of arms to Israel. What I do object to is the obscure manner in which the American taxpayer may be asked to foot the bill of a war effort in which they again do not want to become involved.

Further, American military personnel are being used to ship and unload these supplies in the war zone. The distinction between a "Loadmaster" on an Air

Force cargo plane, or a "military adviser" quickly becomes lost when American lives are lost as a result of military action.

Let us not be lulled into a false sense of security that the President could not commit troops to the fight without the express consent of Congress.

I submit for the RECORD copies of the Middle East Peace and Stability Act and the Gulf of Tonkin resolution as they appear in the United States Code.

Although the Middle East Peace and Stability Act was passed some 7 years prior to the Gulf of Tonkin resolution, they are strikingly similar with respect to the President's authority to use American troops in armed intervention, if in his determination such action is necessary.

I am sure there are many in Congress who voted for the Gulf of Tonkin resolution, but would not have voted for it if they knew what hindsight tells them now. Yet, we are possibly faced with the same kind of piecemeal escalation of American men, dollars, and material to the Mideast.

The presence of American military personnel in Israel resembles the embryonic stages of our presence in the tragedy of Vietnam.

Congress, may or may not be in support of Israel. However, let the issue be decided here, in Congress by the American people.

If we have learned anything from the lessons of Vietnam, it should be that Congress must make the decision. Then, at no time in the future can it be said that the people were hoodwinked by Executive action.

It is the people, through their elected representatives, who should decide whether or not we as a nation support Israel, and if so, to what extent.

Let there be no mistake. It is we, the people, who shoulder the responsibility and pay the full price of our national commitments.

Therefore I urge the support and passage of House Resolution 607, which prevents the use of American troops in the Middle East without the express consent of Congress.

Let me further say we should let the White House and the Congress take heed of the temper of the American people and act accordingly.

Mr. Speaker, the Middle East Peace and Stability Act and the Gulf of Tonkin resolution are as follows:

CHAPTER 24A.—MIDDLE EAST PEACE AND STABILITY

Sec.

1161. Economic assistance.

1162. Military assistance; use of armed forces.

1163. United Nations Emergency Force.

1164. Report to Congress.

1165. Expiration.

SECTION 1961. ECONOMIC ASSISTANCE

The President is authorized to cooperate with and assist any nation or groups of nations in the general area of the Middle East demanding such assistance in the development of economic strength dedicated to the maintenance of national independence. Pub.L. 85–7, § 1, Mar. 9, 1957, 71 Stat. 5.

SECTION 1962. MILITARY ASSISTANCE; USE OF ARMED FORCES

The President is authorized to undertake, in the general area of the Middle East, military assistance programs with any nation or group of nations of that area desiring such assistance. Furthermore, the United States regards as vital to the national interest and world peace the preservation of the independence and integrity of the nations of the Middle East. To this end, if the President determines the necessity thereof, the United States is prepared to use armed forces to assist any such nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism: *Provided*, That such employment shall be consonant with the treaty obligations of the United States and with the Constitution of the United States. Pub.L. 85–7, § 2, Mar. 9, 1957, 71 Stat. 5.

Library references: War and National Defense—46; C.J.S. War and National Defense § 61.

SECTION 1963. UNITED NATIONS EMERGENCY FORCE

The President should continue to furnish facilities and military assistance, within the provisions of applicable law and established policies, to the United Nations Emergency Force in the Middle East, with a view to maintaining the truce in that region. Pub.L. 85–7, § 4, Mar. 9, 1957, 71 Stat. 6.

Library references: International Law—10.45; C.J.S. International Law § 17.

SECTION 1964. REPORT TO CONGRESS

The President shall wherever appropriate report to the Congress his action hereunder. Pub.L. 85–7, § 5, Mar. 9, 1957, 71 Stat. 6; Pub.L. 87–195, Pt. IV, § 705, Sept. 4, 1961, 75 Stat. 463.

Library references: United States—28; C.J.S. United States. §§ 29, 30.

HISTORICAL NOTE

First Amendment. Pub.L. 87–195 substituted "whenever appropriate" for "within the months of January and July of such year."

Repeals. Section 705 of Pub.L. 87–195, which amended this section, was repealed by section 401 of Pub.L. 87–565, Pt. IV, Aug. 1, 1962, 76 Stat. 263, except in so far as section 705 affected this section.

Legislative History: For legislative history and purpose of Pub.L. 87–195, see 1961 U.S. Code Cong. and Adm.News, p. 2472.

1965. EXPIRATION

This chapter shall expire when the President shall determine that the peace and security of the nations in the general area of the Middle East are reasonably assured by international conditions created by action of the United Nations or otherwise except that it may be terminated earlier by a concurrent resolution of the two Houses of Congress. Pub.L. 85–7, § 6, Mar. 9, 1957, 71 Stat. 6.

Library references: Statutes—172; C.J.S. Statutes §§ 307, 308.

VI. AUTHORIZATION TO EMPLOY ARMED FORCES

MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTHEAST ASIA

Pub. L. 88–408, Aug. 10, 1964, 78 Stat. 384, provided that:

"Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

"Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

"Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

"Sec. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

"Sec. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress."

Mr. GROSS. Will the gentleman yield?

Mr. MARAZITI. I yield to the gentleman from Iowa.

Mr. GROSS. Let me say to the gentleman that I was one of those who voted for the Gulf of Tonkin resolution, under the persuasion of presenting a unified front.

It is a vote that I will regret for the rest of my life.

I want to commend the gentleman for an excellent statement, and I thank the gentleman for yielding.

Mr. MARAZITI. Mr. Speaker, I thank the gentleman. Let me say, Mr. Speaker, that I was present when the gentleman from Iowa made a statement several months ago, and for that statement I will respect the gentleman for the length of my life.

IMPEACHMENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania (Mr. WILLIAMS) is recognized for 15 minutes.

Mr. WILLIAMS. Mr. Speaker, President Nixon had promised Congress and the American people a full and complete investigation into the Watergate incident and its subsequent coverup. To accomplish this he appointed Elliot Richardson as Attorney General and William Ruckelshaus as Deputy Attorney General and Richardson appointed Archibald Cox as the Watergate special prosecutor. Repeatedly, the President expressed his complete confidence in the integrity and character of these men and assured them of complete independence in their investigation.

The President was ordered by the U.S. Court of Appeals to furnish Federal Judge Sirica with nine specific tapes which Watergate Special Prosecutor Cox had requested. The President attempted to offer a compromise but Cox rejected the offer. The President then ordered Richardson to discharge Cox but Richardson resigned rather than do so. When Ruckelshaus refused to fire Cox, his resignation was also accepted. This made the third man, Robert Bork, the Acting Attorney General, and he did fire Cox.

These resignations and firing represent a 180-degree turn in the President's commitment to the Congress and the American people. The President's actions during the weekend of October 19 turned many American people against him. When the House reconvened on October 23, a number of impeachment resolutions were offered by many Congressmen. I indicated my willingness to participate in the debate of possible impeachment proceedings but I made it clear that I would oppose all impeachment efforts until the House and Senate had confirmed GERALD FORD as Vice President. I know, from working closely with FORD for 7 years, that he is an outstanding leader.

Yet, during the afternoon of October 23, 1973, Nixon announced that he would surrender the nine tapes to Judge Sirica. This is exactly what the President could have done a week earlier, thereby avoiding the loss of confidence of many American people and avoiding the resignations and the firing. The releasing of the tapes does decrease the possibility of impeachment as it removes the possibility of the President being held in contempt of court. The investigation of Watergate, which was a product of the Committee To Reelect the President and which had absolutely no connection with the Republican Party, must be completed in a thorough and impartial manner.

WAR IN THE MIDDLE EAST

On the holiest day of the Jewish year, Yom Kippur, the Day of Atonement, Arab armies from Egypt and Syria made a sneak attack on Israel to open a new Mideast war. The Israeli Armed Forces have withstood the onslaught and have advanced into Syria and Egypt, but have suffered frightening losses. The Soviet Communists had given the Arab allies military equipment more sophisticated than that given the North Vietnamese to use against us. Three days after the fighting began, the Soviets started an airlift of military supplies for the Arabs. This airlift grew to massive proportions, yet Soviet Prime Minister Kosygin arrived in Cairo around October 16 to arrange a cease-fire with Egypt, Syria, and Israel.

The Arab intent was clearly the annihilation of the state of Israel. The United States began to supply Israel with replacement aircraft and established an American airlift in an effort to resupply the Israelis.

A cease-fire was agreed upon and supported by Russia and the United States. The cease-fire was broken but will undoubtedly be reestablished. The President has asked Congress to authorize assistance of $2.2 billion for Israel because the magnitude of the current conflict has far exceeded Israel's economic capacity to continue with cash and credit purchases. I am ready to support this appropriation, but I would not support the commitment of American forces in the Mid-East since the Israelis are capable of defending themselves.

I joined in a telegram to President Nixon concerning the cease-fire which said in part:

When the cease-fire does come, the United States must use all of its resources to get Egypt, Syria and Jordan to agree to direct negotiations with Israel.

SOCIAL SECURITY INCREASE

I have requested the acting chairman of the House Ways and Means Committee to accept a 7-percent increase in social security benefits to take effect January 1, 1974, rather than the 5.9 percent increase which was supposed to go into effect June 1, 1974. The Senate Finance Committee has already added this proposal to H.R. 3153, previously passed by the House, which makes technical amendments to the supplemental security income program. All the House conferees on H.R. 3153 have to do to put this increased benefit into effect on January 1, 1974, is accept the Senate provision during the conference.

My action is in response to the spiraling increases in the cost of living which have severely hurt 30 million Americans who live on fixed incomes from their social security benefits. Inflation has seriously eroded the value of the dollar. Food prices have soared 20 percent in this year alone, and food accounts for 27 percent of the average older American's budget. The September wholesale price index showed a slight decrease indicating that inflation in the United States has started to level out.

The estimated cost of a 7-percent increase in January would be $1.6 billion in the current fiscal year. This would raise the average benefit to an older couple to just under $300 per month. We must act now to provide our senior citizens a sufficient income so that they can live in dignity. Anything less than this 7-percent increase would clearly be too little and too late.

OUR FEDERAL BUDGET

In fiscal year 1973 the Democratic-controlled Congress ran up a budget deficit of $14.4 billion. On October 18, Treasury Secretary George Shultz testified before the House Ways and Means Committee that in this fiscal year, fiscal year 1974, the President's budget requests will lead to a balanced budget at a spending level of $270 billion. However, there are 19 standing legislative committees in the House, all Democratic controlled, and all authorizing expenditures.

For this reason, I am working to win consideration of my bill to control expenditures. Earlier this year I again cosponsored legislation to establish a Joint Congressional Committee on the Budget, which would establish a spending ceiling, make certain that Federal revenues would cover this ceiling and then make certain that spending was kept within the ceiling. Our annual interest payment on the money we owe will be approximately $40 billion in this fiscal year. Even though the budget shows that we owe $462 billion, we have also borrowed from our numerous trust funds, such as $55 billion from the social security trust fund and $7 billion from the highway trust fund, and these are not included in the $462 billion figure.

URBAN MASS TRANSPORTATION ACT

On October 3, 1973, with my help, the House passed the Urban Mass Transportation Act, H.R. 6452. This bill extends the Urban Mass Transportation Act of 1964 by authorizing $400 million over the next 2 fiscal years for operating subsidies for urban mass transit, and increases the portion of capital cost funded by Federal grants.

This year alone Federal capital improvement grants for mass transit will reach $870 million, from funds authorized under the Federal Highway Aid Act of 1973, S. 502, which was passed with my help in April 1973. These grants are necessary since various links of the Interstate System running through centers of urban areas have drawn people away from mass transit and into their automobiles. S. 502 includes half fare for the elderly and the handicapped.

Mass transit must be improved in order to avoid choking our metropolitan areas with automobiles and diminish air pollution. With the capital improvement grants authorized by S. 502, and with operating subsidies to keep mass transit lines in operation until they can be improved, every metropolitan area should be able to take advantage of these two programs.

I will continue to support Federal subsidies to urban mass transit systems until they can make the necessary improvements. Then the operating subsidy should be used only long enough to attract people to use the mass transit systems. Once this happens, I am confident that additional Federal subsidy will not be necessary as urban mass transit systems become self-supporting. In fact, Red Arrow operated at a profit until it was taken over by SEPTA.

TODAY'S COLLEGE-BOUND VETERAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WALSH) is recognized for 15 minutes.

Mr. WALSH. Mr. Speaker, today's college-bound veteran is faced with an extremely difficult problem. Often, the college of his choice is an expensive one in terms of both tuition and living costs.

The single veteran receives less than $2,000 for the expenses he incurs at an institution of higher learning. More often than not, this barely covers the cost of living, let alone tuition.

Studies show that the average cost of tuition across the country in public institutions for a school year is $419. Some 40 percent of all veterans pay more than

this amount, leaving less than $1,500 for living expenses.

I am, today, introducing legislation which will help alleviate this situation and assist in permitting our veterans a wider choice of a college or university, and make it possible for him to make ends meet at the same time.

My proposal is simple: Pay the veteran, in addition to his regular educational benefits, any tuition cost for the school year that exceeds $419. No payment, however, would exceed $600. In other words, the veteran would receive the difference between $419 and his actual tuition cost, but not more than $600.

Mr. Speaker, the cost of education, like everything else today, is spiraling upward. The unemployment rate for veterans is inordinately high, but a proper education will help alleviate this. But only if the veteran can afford to attend a college he chooses.

The veteran has made a major contribution to his country. He has risked his life for low pay over a period of years. The benefits he receives following separation from the service were earned many times over. They are well deserved.

Recent studies have shown that veterans who must pay more than the national average are receiving benefits that are less generous than their World War II counterparts. With cost of living increases and spiraling tuition rates, the disparity becomes more pronounced as time goes forward.

A recent Washington Post editorial backing my proposal said it was a step "clearly in the right direction." The editorial also pointed out the disparities between World War II and current GI bill benefits.

Mr. Speaker, I feel this proposal is the very least we can do for those who have served well and want very much to make a worthwhile contribution to a better way of life for this great Nation. Many of my colleagues have already indicated support for this measure and I urge the entire membership of the House to push for the speedy enactment of this legislation.

A TRIBUTE TO SPEAKER ALBERT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma (Mr. McSPADDEN) is recognized for 5 minutes.

Mr. McSPADDEN. Mr. Speaker, I rise today to point out that, after this period of domestic agony has passed, and it will pass, and this Republic, comprised of the 50 United States, survive, as it shall survive, history will record the part one man played in saving this Republic.

History will record that, had this man been less trained, less talented, less intelligent, less experienced, or less regarded by his colleagues and the other two branches of the Federal Government: I respectfully submit that had this man been more power hungry, or had his own personal regard placed in a tier of values well below his love, devotion and concern for our Nation and its people, the year 1973 would be written as the year of the greatest civil discord since 1865.

President Andrew Johnson was the only President of the 37 who faced impeachment trial. The impeachment of the President, over a century ago, failed by the vote of one man, Senator Edmund G. Ross of Kansas. That one vote, one vote less than the two-thirds required, preserved the integrity of the Presidency, and the separation of powers, the very keystone of our democracy. The question is relevant then as it is now. Mr. Speaker, I would submit that the person to whom I refer will take a like spot in our Nation's history.

Had my longtime friend and colleague, the Congressman from the Third District of Oklahoma not been encouraged as he strived for an elementary education at Bug Tussle, had he not been nurtured and trained at McAlester High School and the University of Oklahoma, where he was described by the president of that great university as the most excellent student in its existence, history might have been changed.

Had he not combined great drive for excellency at Oxford University as a Rhodes scholar, all of whom must be all-around men of high character and superior scholarship; had he not served his country honorably and well during World War II and been elected to the 80th Congress, history might have been changed.

Mr. Speaker, I submit that if the little giant from Little Dixie had not served the people of his district with diligence and ability so as to be reelected to each successive Congress and had he not risen to more and more positions of responsibility and leadership within the Congress, history might have been changed.

The wisdom, leadership, judgment, and practical application of what we at home call "Oklahoma horse sense" of the honorable CARL ALBERT has been clearly demonstrated over the years, the past few days, and more specifically, since that day when the Nation found itself without a Vice President. As Speaker of the House, he, under the Constitution, was a heartbeat from the highest office in the land; a position I am sure he did not cherish and one I do not envy.

The historians, some day will record much of "today" as history and I would submit, Mr. Speaker, had the Speaker of the House of Representatives been a person other than CARL ALBERT, the history they will record could have been far from the history they will record. His leadership after the events of this past weekend has had an everlasting action on the pages of history.

In closing, Mr. Speaker, I would submit that this country, this great, viable, thriving, struggling, still young, and growing Nation, and future generations, owe a great debt of gratitude, unrepayable, to CARL ALBERT for being the man he has become.

CONGRESSMAN JIM WRIGHT SPEAKS ON HOUSING CRISIS IN UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, as a member of the Housing Subcommittee I have been decrying the plight of the many Americans who find that they can no longer afford to purchase a home. I would like to take this opportunity to insert in the RECORD a most perceptive speech made on this subject by my most distinguished colleague, the Honorable JIM WRIGHT, when he spoke to the Texas Association of Home Builders in Fort Worth last week.

HOW TO GET THE HOUSING PROGRAM OFF THE GROUND—AND PRICES BACK TO EARTH

(Remarks of Congressman JIM WRIGHT)

Last Saturday, October 13—one week ago today—marked the 160th anniversary of the laying of the cornerstone for the White House . . . a memorable occasion in the history of our nation.

Thirty-one days ago, President Nixon submitted to the Congress a message on housing.

My personal conviction is that we are fortunate to have already built the White House. If we had to start from scratch today, it would be infinitely more difficult!

If that seems glib and facetious, I don't really intend it to be. Those of you who know me are probably aware that I am not in the habit of summarily condemning an idea, message, or plan, merely because I disagree with a portion of it.

Nor do I propose to do so with the President's analysis of our current housing needs. There are several features of his message which warrant early and favorable response.

My overall reaction, however, is one of disappointment, for the President suggested nothing really new—certainly nothing which will quickly and effectively ease the increasing dilemma of trying to provide homes for America's families at prices they can afford.

There is nothing inherently wrong with the basic Housing Programs we presently have on the books, despite suggestions to the contrary. The failure of recent years has not been with the law, but with its implementation.

In 1934 a concerned Congress revitalized the theretofore piratical mortgage market by introducing the federally guaranteed amortized mortgage, requiring only small down payments and permitting up to 30 or 40 years for complete maturity. Regulated low interest rates made it possible for people to buy homes they could afford.

There was a lot of resistance to that proposition originally, but the proof of the pudding is in the eating. The conventional mortgage market soon fell in line with virtually the same type of financing, and everyone found that it worked.

In just one generation, it literally transformed this country from a nation of renters into a nation of home-owners. In 1934, only about 30% of the American people could ever really hope to own the houses they lived in. By the late 1950's, 70% were buying homes.

I mention this recent history because there are younger people here tonight who may not know that, at one time, the average first mortgage on a home ran 5–8 years. And required down payments were so high that a second mortgage business flourished throughout the country, making 30–40% of the required down payments available.

That's what prompted all those old melodramas depicting a heartless lender with a high hat and long moustache leering at the widow and suggesting things more dire than foreclosure.

In 1937, because Congress recognized that there was no way the building industry could house the itinerant or the truly poor, the

Housing Act of that year paved the way for Public Housing.

There arose a great furor against that law, too, and there still is a lot of objection to it.

"Why," the question goes, "should we who pay taxes help house those who don't?"

There are many answers to that question. Fundamentally, the answer is this:

Shelter is one of the three necessities of life. A humane people will no more condemn some of its members to suffer inadequate shelter than it would will them to go without sufficient food or clothing.

In a nation as wealthy as ours, every family should be entitled to certain minimum privileges, including a decent palce to live.

Pride in one's family surroundings is the starting place of good citizenship. Slums breed not only crime, but despair, alienation, and hostility toward society itself.

There are mothers in Washington, D.C. who stuff cotton in their children's ears at night to keep out cockroaches—and this environment is not exactly a seed bed for constructive citizenship.

It costs the average taxpayer something like $5 a year for the Housing Subsidy program, to provide decent shelter for this unfortunate segment of our own people.

You and I probably spent that much on this meal tonight.

Now those two laws, with subsequent amendments, are the only ones which control the financing and construction of American housing. They have remained on the books all these years and have made possible all the good things Mr. Nixon enumerated in his message. Permit me to quote briefly from the first page of that document. The President said:

"The housing record of recent decades should be a source of pride for all Americans. For example, the proportion of our people who live in substandard housing dropped from 43% in 1940 to only 7% in 1970. During the same period, the proportion of Americans living in houses with more than one person per room dropped from 20% to 8% and the proportion of our housing considered dilapidated fell from over 18% to less than 5%."

One vital point which the President neglected to mention—and perhaps did not think about—is that, during most of these years of dramatic progress, the cost of housing—while increasing—was consuming a steadily decreasing percentage of the average family's income. That's why homebuilding flourished, and why the industry prospered.

And that fact, when you get right down to it, is the basic reason for the decline in new home starts.

Closely related—at the very heart of the matter—is the fact that those very solid accomplishments of the nation and of the homebuilding industry to which the President called attention were chalked up during a 30 year period in which the average interest rate on home loans was between 5 and 6%.

This year we have seen the emergence of 10% loans—and a substantial decline in housing activity.

In my opinion, the principal deficiency of present administration policy is its failure to come to grips with the one truly profound illness affecting the housing market today—the cost of money.

In many markets, the young family trying to buy a $25,000 home—certainly not a mansion by present standards—must agree to pay over the period of amortization approximately $75,000.

You and I know that they simply cannot afford it, And an increasing number of *them* know it.

To expect them to pay three times the value of the property—simply for the privilege of borrowing—is, in a word, unconscionable.

The President recommended that we get all "anachronistic" usury laws raised where they exist and have Congress knock the roof off insured home loan interest rates. To a large degree, this has been done.

As a temporary alleviant, this should get more money available for home loans in the short range future. But for the long run, it can only be historically retrogressive, socially repressive and counter-productive.

The biggest single obstacle to new housing is the upward spiral of the interest rate, which has risen almost 65% just since the beginning of this year.

A like rise in the cost of almost any other vital necessity would have caused riots in the streets.

The approach by the Administration to this problem is not unlike that of a hopeless City Council deciding that, since they cannot afford the cost of eliminating crime, perhaps they ought to legalize crime.

I submit that it does no good simply to make it easier for people to get into debt if in the process we make it almost impossible for them ever to get out of debt.

It seems to me that what is really needed throughout the entire economy—and the only thing that will provide any lasting relief to our housing problems—would be a concerted plan, administered across the board by every agency of government, to bring about a gradual and systematic reduction in interest rates at the pace of approximately one-half of a percentage point every six months until the prime rate returns to six percent or less.

There are numerous palliatives that can provide some measure of help. For one thing, we recently increased the money for forest development roads in the highway bill to increase the supply of lumber. For another, Congress is attempting to curb the massive deportation of logs to Japan which has decreased the domstic supplies and increased prices.

The President has made several suggestions to increase the supply of housing money: tax credits, forward commitments, cash payments to low income tenants. Each of these may help to some degree, but none of them is especially new.

We've had Sections 235 and 236 to help house the low and modest income families. We've seen a measure of success in Section 23 which provides Leased Housing.

Each of these programs was decent and humane in concept. Each has suffered in some degree from greed on the one hand and poor management on the other.

All of us have heard the horror stories about tenants and occupants—even owners—who abuse, mutilate, demolish and ultimately abandon some of these projects which our tax dollars have made possible. I have seen a few such examples. They don't do much for your faith in human nature.

Fortunately, they represent an almost miniscule percentage of the whole. But they get wide publicity. And they leave the taxpayer understandably outraged.

Fortunately, most Americans—when given a chance—will rise to the occasion. And that is what has made the nation great.

There is one experimental program which never has really gotten off the ground because it has never received a very high planning priority, but it in my opinion contains the greatest potential promise of all for America's low income families.

This is the low rent program which allows a family to qualify for eventual ownership by its own demonstration of responsible occupancy. If all payments are duly met and the property truly well maintained for a period of two or three years, the family is allowed to convert the rent it already has paid into a downpayment, convert future monthly payments into amortization and equity and ultimately to own the unit.

I don't know much about homebuilding. But I think I know something about the public. And this is the kind of subsidized housing the public will willingly support.

If I were the President—or the Secretary of HUD—this is the kind of program I'd be pushing with all the strength of that office.

For the rest of it . . .

Rather than an abandonment of existihg laws, even if only in name, what the nation needs is more money for housing at rates people can afford.

Here, for what its's worth, is a thought:

Why couldn't some new source of mortgage money be devised which would permit the very people who keep the mills and the factories running—the "middle Americans" who work and pay taxes and send kids to school and try to set aside a modicum of security for old age—to enjoy a home in peace rather than in anger and frustration?

Why could it not be arranged that all American business—foreign and domestic—be required to divert a very small portion of their overall profits to a centralized mortgage fund?

Such a diversion would not exactly constitute a tax, because a return would be made on it.

Suppose that the amount of the profit for a given corporation, be it computed at 1% or 1/10%, were channeled through some agency to a local bank or savings and loan at a charge of say 3%. Possibly a mortgage could be made at 6%.

Now it is true that a car manufacturer, for example, might not enjoy on that diversion the interest he could otherwise make; but, on the other hand, it might make it possible for a lot of mortgagors to keep trading for that manufacturer's cars for the life of their mortgages.

I am neither a sage, an Olympian prophet, nor an accountant. I'm not even certain that what I've just suggested makes economic sense. But it is, at least, an idea.

I do know this:

That a homeowner is a taxpayer, a contributor, a citizen with a vested stake in the future of this country;

That the expansion of home ownership produces the best possible base for national stability;

That a nation of homeowners is a nation best equipped to survive the vicissitudes of economic and social upheaval;

That a decent home for every American at a price he can afford is a dream worth pursuing and a goal not impossible of fulfillment;

And that American capitalism has introduced something entirely new in the history of mankind—the very real possibility of the humblest citizen's becoming a capitalist himself, owning a piece of property however modest, and getting at least a piece of the action. That, to me, is what America is all about.

You as homebuilders have a stake in all of this, and an indispensable role to perform in bringing it to pass.

INTERNATIONAL MONETARY REFORM AND FLOATING RATES: WHY NOT LEAVE WELL ENOUGH ALONE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, August 15, 1971, was one of the better days in American economic history.

The administration, finally realizing that self-imposed stagnation in the domestic economy was not the way to fight inflation, ordered across-the-board

price-wage controls. Realizing also that it was the fixed exchange rates of Bretton Woods which had produced the international crisis of the dollar, the administration closed the gold window, and permitted the dollar to float.

Both actions—the freeze and the float—worked excellently well.

Inflation was held under control during phase I and phase II. Then, last January, the administration abandoned effective price controls, and the indexes shot upward. We still have not gotten control of inflation.

This retrogression on the domestic front is now being duplicated on the international front. The world's money masters at Nairobi last month resolved to sink the float and to go back to "stable but adjustable" rates—the very system which got us into trouble in the first place.

WHY THE WORLD FLOATED

After a 4-month float for the dollar, exchange rates were fixed again at the Smithsonian Institution in December 1971.

The Smithsonian agreement, however, proved not to be durable, and began to fray in the summer of 1972. It was finally abandoned in February 1973, when massive international flows of liquid capital exceeded the willingness of central bankers to defend the Smithsonian rates. Another realinement was proposed in February 1973. But by the end of the month this schedule of exchange rates had also proved untenable. After being closed for a period, exchange markets were reopened in March. A number of major currencies, including the U.S. dollar and the Japanese yen, were allowed to float. A group of European nations decided to attempt a joint float of their currencies against the rest of the world.

Prior to the institution of the float in March 1973, there had been widespread calls for international monetary reform. Our congressional Joint Subcommittee on International Economics repeatedly joined in that call for reform.

We had seen the old Bretton Woods system of "fixed but adjustable" exchange rates bring about crisis after crisis. All through the 1960's, the dollar had progressively become more overvalued. The United States was able to over-import from abroad, over-invest abroad, over-travel abroad, and over-militarize abroad. Foreign countries were able vastly to increase their imports to this country.

But we finally began to realize that our over-valued dollar had caused us to run into short-term debt overseas to the tune of around $100 billion. And our trading partners suddenly realized that they were working like dogs in order to give Americans discount prices. Fixed rates were the cause of these miseries.

THE COMMITTEE OF 20 BEGINS

The demand for reform finally bore fruit. In July 1972, the IMF established the Committee of 20, representing all its members, to negotiate the reform of the international monetary system. Chief on the list of reforms was to move away from the Bretton Woods system of "stable but adjustable" rates.

Then, right in the midst of the Committee of 20's deliberations, came the involuntary float of March 1973. De facto, and in contravention of the spirit and letter of Bretton Woods, the international monetary system had reformed itself. To be sure, a little tidying up might be necessary. Perhaps the language of Bretton Woods should be altered to conform to the post-March 1973, float. And some sort of agreed rule for when nations might intervene to affect the exchange rate of their currencies should be adopted.

But the Committee of 20, and the world's monetary authorities, with a momentum all their own, have for the last 7 months kept drawing up detailed plans for "reform", with all the passion for mechanical perfection of the drafters of the Weimar Constitution.

Meanwhile, the reformed international monetary system has been performing rather well.

While the 7 months since last March have not provided a sufficiently long period from which to draw definitive conclusions about the success of floating exchange rates, they come off well when we consider the relevant questions: First, have floating exchange rates weathered the political and economic storms of recent months? Second, have world trade and world investment prospered under floating exchange rates?

The answer to both questions is yes.

WEATHERING THE STORM

Exchange markets were calm, and day-to-day changes in rates small, until May, when the potential economic implications of the Watergate and the possibility of a prolonged impeachment battle shook confidence in the dollar, and when the true dimensions of the rate of inflation in the United States came to be recognized worldwide. Naturally, the value of the dollar began to slip, and did not stop falling on the exchanges until, by July, it had tumbled a significant amount.

Was this reaction irrational, and are the central bankers and finance ministers who denigrate floating rates wise prophets of economic events in whom we can confidently trust? I believe that the market's reaction was rational. Its post-July recovery is due not so much to central bank intervention in New York and overseas, but rather to the strengthening U.S. trade balance, to a seemingly decreased likelihood for a time that the President would be impeached, to a lifting of our embargo on exports of soybean and protein feeds, to a rising trend of U.S. interest rates, and to a simultaneous decline of German interest rates.

Thus, if exchange rates have fluctuated in the period since May 1973, it is only because underlying economic and political forces have fluctuated. Events that could have caused severe crises under "fixed but adjustable" rates were readily digested.

EXPANDING TRADE AND INVESTMENT

Now let us ask how well floating rates have served the goals of international economics—expanding international trade and investment?

As the Governor of Italy's central bank, Guido Carli, noted in his Nairobi speech, notwithstanding the difficulties arising from exchange rate flexibility, "world trade has continued to expand at a record rate."

The latest IMF annual report notes that, due to reduced economic growth rates in several major industrial countries, including the United States, total world trade grew in 1971 at a rate of 5.7 percent, as contrasted with the annual average for 1960 through 1970 of 8.3 percent. But in 1972 the growth rate of world trade returned to 8.2 percent, virtually the same as the long-term trend. In 1973, when the most serious adverse effects from closed exchange markets and the horror of fluctuating rates might have been anticipated, the IMF annual report says:

> Imports into the industrial countries as a group continued to accelerate in the first several months of 1973, notwithstanding the fact that this was a period of marked deceleration . . . in the growth of imports into the largest importing country, the United States. In volume terms, world trade the first half of 1973 is estimated to have been about 12 percent higher than in the same period of 1972.

In other words, during the first half of 1973, world trade expanded at an annual rate that had not been equalled since 1968.

What about investments?

U.S. direct investment abroad expanded substantially during the first half of 1973. In fact, the total for the first half exceeded that for all of 1972. Probably U.S. direct investment overseas was reflecting increased domestic corporate earnings, and brisk rates of economic expansion abroad, and had not yet fully taken into account the impact of exchange rate changes.

More interestingly, however, foreign direct investment in the United States during the first half of 1973 also exceeded the totals for all of 1972. During the second quarter of this year, foreign direct investment in the United States recorded the largest quarterly inflow since the first 3 months of 1970. Moreover, foreigners made net sales of U.S. equities this year only in the month of May. Thus the decline in the dollar under fluctuating exchange rates hardly seems to have had the expected result of frightening foreigners away from investment in the United States.

WE CANNOT STAND SUCCESS

Thus, floating rates have survived the tempests. They have lubricated a great expansion of world trade and investment.

And for their success, they are about to be abandoned by the world's money doctors.

At this year's IMF meeting in Nairobi, the Chairman and Vice Chairman of the Committee of 20 presented their first outline of reform. This outline reflects their view on the stage reached in the committee's discussions; it does not carry the formal endorsement of the committee. The outline states:

> The exchange rate mechanism will remain based on stable but adjustable par values, and countries should not make inappropriate par value changes . . . Countries may adopt floating rates in particular situations, subject to Fund authorization, surveillance, and review.

BACK TO METHUSELAH

What does the phrase "stable but adjustable par values" mean? From the discussions and speeches I heard at Nairobi, it means nothing less than a return to fixed exchange rates:

The new managing director of the International Monetary Fund, H. Johannes Witteveen, set the tone for the attack on floating rates:

We may draw some lessons from our recent experience with floating exchange rates. The experience has shown that, while the rigidity of rates in the old system must be avoided, free-floating offers no panacea for the problems confronting us in the exchange field. Understandably, exchange rates do not always take sufficient account of the lags involved in the effects of exchange rate adjustments on international trade. As the initial effects of changes in rates will usually be small, or even perverse, such changes cannot immediately restore an equilibrium position. Markets may become disappointed with the apparent failure of the balance of payments to adjust, and as a result, may allow currencies to appreciate or depreciate beyond the point needed to achieve equilibrium in the medium term. Also, as we have recently seen, market psychology can be sharply affected by a variety of special and temporary influences, both economic and non-economic.

Freely floating rates cannot, therefore, be relied upon to reflect underlying payments trends and thus to achieve appropriate currency relationships. . . .

Recent experience has shown the advisability of using intervention to prevent disorderly market conditions and excessive deviation from exchange rates considered to be appropriate in the medium term. For this reason, I welcome the resumption of intervention by central banks since July. I hope this will prove to be a first step in a gradual move toward a situation in which intervention is more widely used to stabilize exchange rates and to support an appropriate and internationally agreed set of currency values.

POOR-MOUTHING THE FLOAT

Similarly, the French Minister of Economy and Finance, Valery Giscard D'Estaing, said:

The only good thing one can say about present practices is that they are providing their own proof that they do not work. Currency floats do not contain inflation, nor do they ensure correct market rates. This has been demonstrated beyond a shadow of a doubt . . . The idea of fixed and adjustable par values now appears to have gained wide acceptance . . . But it is also necessary that currency floats be authorized only on an exceptional and temporary basis.

The Belgian Deputy Prime Minister and Minister of Finance, Willy de Clerq, said:

If the right to float were to be generally recognized in the new system without any limitation being applied, as regards either duration or the nature of the exceptional circumstances deemed to warrant it the very principle of "fixed but adjustable exchange rates" would become devoid of meaning. . . . Floating exchange rates seem to us to be a very poor reflection of the fundamental equilibria . . . The same applies in the case of over-frequent parity changes.

The Netherlands Minister of Finance, W. F. Duisenberg, said:

We are, I believe, entitled to draw the conclusion that the exchange market alone isn't capable of establishing an orderly system of exchange rates. The market stands in need of clear guidelines if it is to achieve this goal; official intervention to keep exchange rates within agreed margins is essential. . . . The dangers inherent in the present world monetary situation make it necessary for an agreement to be reached speedily on a system of fixed exchange rates which can be adjusted in good time.

Our own Secretary of the Treasury, George Shultz, said:

There is full acceptance of the idea that the center of gravity of the exchange rate system will be a regime of "stable but adjustable par values," with adequately wide margins and with floating "in particular situations". . . . It would be a fundamental error to mistake the present arrangments for monetary reform.

In Nairobi, four explicit criticisms were leveled against the fluctuating exchange rate regime: First—private parties dealing in exchange markets were asserted to have a short-range view, to overlook medium and long-run fundamental economic trends, and therefore, to cause excessive short-term fluctuations in exchange rates. Second—floating exchange rates were claimed to be subject to large fluctuations induced by massive speculative international transfers of liquid assets. Third—floating exchange rates were said to be unable to contain inflation, or to prevent the transfer of inflationary pressures from one country to another. Fourth—floating rates would prompt countries to resort to competitive devaluations during periods of high domestic unemployment.

I shall address these criticisms in turn.

IS THE MARKET SHORTSIGHTED?

Is the economic outlook of private exchange dealers and international traders and investors more shortsighted than that of monetary officials, and can the officials determine appropriate exchange rates more accurately than private parties? If the dollar fell to unreasonably low levels during the period from mid-May through the third week of July and consequently became undervalued, a self-correcting recovery has since set in.

The decline resulted largely from the daily revelations of the Watergate hearings, from rampant inflation in the United States, and from the absence of proper harmonization between United States and German monetary policies.

Could monetary officials confidently assert in May and June that political uncertainties in the United States would be resolved, and that the economic consequences of these uncertainties would be trivial?

The ultimate outcome of this investigation, and its economic consequences, are still in doubt. Only through the most gratuitous type of Monday-morning quarterbacking can monetary officials assert that they had a deeper understanding of political events in the United States than did the exchange dealers.

I am not asserting that monetary authorities should be prohibited from intervening in exchange markets, or that such intervention is invariably harmful. On the contrary, at times, most recently in July, central bank intervention was beneficial to help make a market for the dollar and to strengthen the confidence of those exchange dealers who were willing to take positions in dollars. After all, one cannot expect exchange dealers, traders, and investors to adapt overnight to a fluctuating exchange rate regime after fixed parities had been the norm from 1958 to 1971.

What I do challenge is the assertion that monetary authorities have a more accurate view than the market of what are appropriate exchange rates in the light of fundamental economic trends. After all, it was the monetary authorities who brought us the disequilibria of the 1960's and early 1970's, the abortive Smithsonian agreement, and the short-lived February 1973 realinement. Their past record has not been such as to give one confidence in their omniscience, or to continue them as the arbiters of the exchange rate structure.

THE IMPACT OF SPECULATIVE CAPITAL FLOWS

The second criticism of fluctuating exchange rates was that they change in response to large international transfers of liquid assets, frequently referred to loosely as speculative capital flows. The observation is certainly correct that under a regime of floating rates, the actual prices at which currencies trade in exchange markets are affected by international asset transfers, and that these rates, having been altered, have an impact on the magnitude and pattern of international trade and investment.

The only way to prevent large capital flows from having an impact on exchange rates is either to impose controls in an attempt to stifle the flows, or to counter them through official intervention in exchange markets. Controls have been shown to be ineffective when the incentives promoting international asset transfers are strong.

Similarly, the amount of official intervention needed to counter large flows has frequently been in excess of the resources that monetary institutions—for a variety of reasons—have been willing to commit to this purpose. When the dollar has been under pressure, sometimes foreign central banks have not been willing to increase their dollar reserves by the amounts that would be required to override the capital inflows. In addition, large increases in a country's reserves over a short period tend to expand its domestic monetary stock by similar amounts. Often countries have not been willing to tolerate the inflationary consequences of such large jumps in their domestic money supplies.

The critics in Nairobi overlooked some relevant considerations pertaining to large international transfers of liquid assets and their impact on exchange rates.

First, what is speculation? Speculation is defined by economists as purchasing an asset without also entering into a contract to sell that asset sometime in the future. This is also known as taking an uncovered position, and taking an uncovered position in foreign currencies or assets denominated in them is international monetary speculation. Speculation is not inherently evil, covert, underhanded, malicious, or necessarily harmful to the general public. It results from the normal desire of private individuals to employ their assets profitably, not only

in foreign currencies but also in commodities and real estate.

What nobody in Nairobi bothered to mention was that most international monetary speculation that has occurred in the 1970's has been stabilizing rather than destabilizing, tending to push exchange rates toward levels which would help to diminish payments surpluses and deficits and to reestablish a sustainable equilibrium of trade and investment flows. If most speculative transfers tended to push exchange rates away from equilibrium levels, then that speculation could be termed destabilizing. But in fact the depreciation of the dollar and the appreciation of other currencies has helped the United States to rectify its external trade position and to redress incentives that caused excessive American investment abroad and that discouraged foreign investment here.

Only under the pressure of unprecedented political uncertainties and galloping inflation in the United States did speculative transfers possibly produce a marginal undervaluation of the dollar. The extent of any such undervaluation is far from clear. In any event, the market is demonstrating its growing ability for self-correction.

Three speakers in Nairobi—Finance Minister Aichi from Japan, Bank of Italy Governor Carli, and German Finance Minister Schmidt—mentioned the beneficial effects of floating rates in helping discourage excessive international transfers of liquid assets. Under fluctuating rates, if one currency appears to be a candidate for depreciation and another a candidate for appreciation, a flow of liquid funds tends to occur from assets denominated in the former to assets valued in the latter. This flow tends to bring about the expected consequences.

But then the incentive to transfer assets internationally is also eliminated. Avoided are both the disruptive effects on international trade and investment of controls over capital flows, and the inflationary consequences of large increases in the domestic money supplies of countries attracting funds.

For this reason, Finance Minister Schmidt said, "exchange rate elasticity will have to provide the needed protection" against large movements of capital that cannot be derived from international coordination of monetary policies and administrative controls. The cost of this benefit is some short-term fluctuation in exchange rates, and the consequent effects on trade and investment. But no benefit is costless, and the economic damage resulting from massive central bank intervention in futile attempts to defend disequilibrium exchange rates is much more costly.

DO FLUCTUATING RATES CONTAIN INFLATION?

Third, it was charged that fluctuating exchange rates do not contain inflation. I have just explained how flexible rates can help prevent the large international asset transfers and consequent reserve stock and money supply bulges that, for example, proved so disastrous to German domestic monetary management over the past decade. In this regard, it could be more persuasively argued that fixed rates tended to create inflation internationally. Otmar Emminger, Deputy Governor of the German Central Bank, adopted precisely this line of argument in a lecture delivered last June.

If a nation experiences excess demand and domestic inflation, then it will tend to export less and import more. Under fixed exchange rates, this tendency to draw more resources from the rest of the world and to transmit demand pressures overseas meets no price resistance. But, under floating rates, the value of its currency would tend to deteriorate. The consequence would be to help maintain its level of real exports, to discourage the growth of imports, and so to help contain demand pressures within its own borders.

THE DANGER OF COMPETITIVE DEPRECIATION

The Minister of Finance from the Netherlands, W. F. Duisenberg, raised the issue that fluctuating rates might tempt governments to resort to competitive exchange rate depreciation during periods of high unemployment:

> Full employment is a high priority for national governments; if it were put in jeopardy, governments might conceivably resort to manipulating exchange rates for the benefit of their domestic policy, and the drawbacks of the present system of floating exchange rates would then appear fully and clearly.

Mr. Duisenberg raised a legitimate point. No exchange rate regime or international payments adjustment mechanism can work without international surveillance. If a nation is experiencing high unemployment, it would reasonably be expected to ease its domestic monetary policies. The resulting decline in interest rates could well prompt an outflow of capital and some deterioration in the value of its currency. With fluctuating exchange rates, an international body would be needed to insure that governments did not carry easy money policies beyond the point that could reasonably be expected to stimulate domestic expansion. Liberal credit availability should not be used to manipulate exchange rates and promote exports at the expense of other countries.

What this criticism overlooks, however, is that fixed rates are subject to the same fault. For years the German mark and Japanese yen were undervalued. The Governments of these countries adamantly refused to revalue these currencies or let them freely appreciate to a level that would have avoided further reserve accumulation. During these years of undervaluation, German and Japanese workers produced goods for sale in the U.S. market that American laborers otherwise would have produced. Thousands of manufacturing jobs were transferred overseas as a result of the availability of foreign plant, equipment, and labor at discount prices. Whatever the exchange rate regime, the IMF must be in a position to review the policies of governments that affect the external values of their currencies.

CONGRESS WILL NOT APPROVE RETROGRESSION

The post-March 1973, de facto reform has as its central characteristic that nations should be allowed freely to choose between floating exchange rates, which the United States has elected, and "fixed but adjustable" exchange rates, which are favored by the countries of the European Economic Community.

In contrast to other countries, the United States particularly needs floating exchange rates. The international trade of the United States is only some 9 percent of the gross national product, as opposed to some 40 percent in countries like Great Britain, France, and Germany, and even large percentages in Belgium and the Netherlands. Unlike other countries, therefore, the United States cannot rely on overall monetary and fiscal policy to alter our international payments position. The expansion or contraction in GNP required to bring about a given change in our trade balance is simply too large to make the use of overall monetary and fiscal policy feasible.

The United States must therefore depend on exchange rate adjustments to maintain an appropriate balance-of-payments position with the rest of the world. Thus, the United States cannot accept an international monetary reform which gives up the option, as a normal procedure, of letting the dollar adjust to market pressures in order to maintain a satisfactory external equilibrium. Yet the IMF's proposed "stable but adjustable" rates, apparently agreed to by the United States, would prevent our selecting floating rates as our normal regime.

It is time to speak plainly. The United States should insist on the option of floating that has already been achieved in practice. We should not be led astray by the nostalgic hankerings of others for another regime of "fixed but adjustable" rates.

It takes the U.S. Congress to approve a new international monetary system. And Congress, unless I am very much mistaken, will simply not approve a so-called "reform" which puts the United States in the box of "fixed but adjustable" rates, with floating permitted only "in particular situations." The rest of the world should be aware of this now.

LEAVE WELL ENOUGH ALONE

The United States should speedily extricate itself from the maelstrom into which it is descending. We should withdraw our endorsement of the Nairobi "fixed but adjustable" rates "reform." We should make it clear that the United States, and anyone else so minded, should have the option of floating their currency. We should do so at once, and certainly no later than at the next meeting of the Committee of 20 in January.

With the air thus cleared, the Committee of 20 can go on in a streamlinued way to meet its July 31, 1974, deadline. Questions such as SDR's, convertibility, the dollar overhang, intervention will yield easier solutions as a result of this clearing of the air. I shall discuss these questions in a second speech in a few days.

The present option to float is working. Let us leave well enough alone.

STATEMENT CONCERNING H.R. 8005

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. DIGGS) is recognized for 5 minutes.

Mr. DIGGS. Mr. Speaker, I would like to insert for the thoughtful consideration of my colleagues the statement of Anthony Mazzocchi of the Oil, Chemical, and Atomic Workers International Union on H.R. 8005, to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome and restore the United States to its position as a law-abiding member of the international community. Mr. Mazzocchi's statement carefully examines the effects on American workers and the loss of jobs caused by the enactment of the Byrd amendment and the importation of Rhodesian chrome to the United States. He stresses that—

The price of employment for American workers should not be the health and safety in a clean environment, just as the price of freedom for the Black Rhodesians should not be valued in terms of cost of chrome and ferrochrome in the U.S. market. Yet Black Rhodesians and American workers have been pitted against each other in a manner not only insulting to their integrity, but to the basic and universal values of human dignity.

The text of the full statement follows:

STATEMENT OF ANTHONY MAZZOCCHI, CITIZENSHIP-LEGISLATIVE DIRECTOR, OIL, CHEMICAL, AND ATOMIC WORKERS INTERNATIONAL UNION, BEFORE THE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS AND MOVEMENTS, HOUSE COMMITTEE ON FOREIGN AFFAIRS, CONCERNING H.R. 8005, OCTOBER 12, 1973

On August 8, 1973 the Oil, Chemical and Atomic Workers International Union (OCAW) passed a resolution in support of the present Congressional attempt to restore economic sanctions against Rhodesia. I would like to submit the resolution to the record. It is our belief that the Byrd Amendment was a dangerous breach of an international trust vital to a responsible, interdependent world, as well as a callous blow to the struggle of the Black Rhodesians to control their own lives. We are concerned that 750 workers in the ferrochrome industry have already suffered the loss of their livlihoods due to this legislation, as may many more; furthermore, as the union representing many of Union Carbide's industries, including its domestic ferrochrome, we are particularly concerned about its hypocritical stance and dissemination of misleading information on this issue.

When Ian Smith's Rhodesian Front Party proclaimed Rhodesia's unilateral Declaration of Independence (UDI) in November 1965, rather than resorting to the all too usual military means of dealing with insurgents, Britain opted to bring the problem to the United Nations for international jurisdiction. Determining that the situation was a threat to the peace (the number of blacks killed by whites, and whites killed by blacks in Southern Africa in recent years should be proof of this threat) the Security Council, of which the U.S. is a prominent member, agreed to invoke an economic embargo against Rhodesia. Under the U.N. Participation Act of 1945, the U.S. committed itself to abide by the Charter of the U.N. If there were any doubts about the embargo's effectiveness or it seriously jeopardizing our own national security, we should have exercised our veto then. But even if these doubts did not arise until after the enactment of sanctions, the unilateral decision by the U.S. to simply selectively ignore the boycott, was a shockingly irresponsible way for a world leader to act. Doubts about an international decision should have been discussed within the international oragnization in which the decision was first made, with the intent of exploring every possible alternative action. As John Sheehan of the United Steelworkers points out in a letter to Congressman Fraser on August 8, 1972:

"If the embargo on chrome ore is to be questioned, then also the whole embargo technique should be questioned, and not just that aspect which affects the properties of two American companies holding mining deposits in Rhodesia."

Closer scrutiny of the factors underlying the Byrd proponents' arguments reveal more than just mining deposits at stake in Rhodesia. As we now know, Union Carbide also owns a rather sizable and ever expanding ferrochrome processing facility in Rhodesia on which much attention has been focused in these recent Congressional hearings. It is no surprise then that Union Carbide stressed their fears about dependence on the Soviet Union for chrome ore. One wonders if the company were to own chrome mines and ferrochrome plants in Russia whether the subject of dependence would be less of a threat and more of a profitable assurance as dependence on Rhodesia now is.

In fact, from the perspective of Union Carbide, the National Security argument was nothing less than specious. While Carbide was decrying the dangers of our dependence on the Communists for the strategically critical chromium ore, especially in time of war (although it must be noted that our 10 year involvement in S.E. Asia was conspicuously overlooked in their evaluations of "hypothetical" war needs), the company was also eargerly jumping the band wagon of detente with the Soviet Union and other Communist countries. In the June 17, 1973 *Wall Street Journal*, it was reported that Union Carbide has signed a three year, $15 million contract with the Soviet Union for the purchase of naphtha, an important petrochemical feedstock. It was also reported that Union Carbide's previous sales to the Soviet Union of such products as agricultural chemicals, processed chemicals and plastics have amounted to almost $9 million. In December 1970, the sale of more than $2 million worth of organic chemicals and other industrial materials was the result of the Corporation's exhibit, reportedly the largest American one, at Moscow's Chemistry-70 Fair. Last year, Union Carbide in Canada 75% affiliated with Union Carbide in the Unitd States, participated in a Canadian trade exposition in Peking, and this year sold some of its technology to Poland.

It is clear to us that Union Carbide has been manipulating foreign policy to its own benefit. Done at the expense of other companies in the ferrochrome industry, such action is a travesty of the concept of free trade expounded so often from the other side of the Corporation's mouth.

It is necessary, however, to understand the difficulties the ferrochrome industry has been in for the past decade. On page 23 of the report by Ms. Diane Polan at the Carnegie Endownment for International Peace, it is pointed out that:

"This industry, which recently consisted of four major and two minor producers, has been in decline since the early 1960's—*before* UDI and *before U.N.* sanction against Southern Rhodesia. It has been hard hit by imports and rising labor and power costs, as well as requirements to install costly pollution control devices to meet stiff new Federal air quality standards."

The report goes on to cite that by 1965, again before UDI, the number of companies in the U.S. producing ferrochrome dropped to six, from eleven in 1961. This, it says, was paralleled by a conspicuous increase in ferrochrome imports, including South Africa as a major contributor.

This analysis of the problems besetting the industry can be supported by a look at any of Union Carbide's Annual Reports during the latter half of the sixties. Under the sections concerning domestic ferroalloys, the constant variable of blame for difficulties in this industry went to heavy foreign imports, with a variety of other reasons contributing to the problems throughout the years, including "reduced steel operating rates, reduction of inventories by customers, and strikes at several plants." Not until 1969 was inaccessability to chrome from their Rhodesian mines mentioned as a source of difficulty. By 1971 there was again no mention of Rhodesian chrome, only of the steel industry slowdown and an all time high in ferroalloy and steel imports.

Yet we were advised that the way to save jobs was by lifting the embargo. The irony of dealing with the problem of ferroalloy imports by adding more imports has become too painfully clear for the 750 workers at the Stubenville and Brilliant, Ohio ferrochrome plants.

In May 1973 the Ferroalloys Association petitioned the U.S. Tariff Commission for relief from imports, stating that:

"Unless aid is forthcoming soon it will only be a matter of time until almost all domestic production of ferrochrome and chromium metal will cease and the bulk of our country's requirements will be supplied from and dependent on foreign production."

Mr. F. Perry Wilson, Union Carbide's Chairman of the Board, seemed to concur with this prediction when he stated in an April 4, 1973 interview with the *Wall Street Transcript:*

". . . obviously as time goes on and competition from other parts of the world gets keener . . . we will have to go where the ore is found and electrical cost is competitive . . . this suggest overseas expansion."

Moving to where the ore and "electrical cost is competitive," i.e. Rhodesia, would clearly be less of a hardship for Union Carbide than implied. For those members of OCAW whose livlihood depends on the vitality of the ferroalloys industry in the U.S., such a move could be disasterous.

The key question for our workers, of course, is if sanctions are reimposed, and Union Carbide is cut off from its Rhodesian supplies of chrome and ferrochrome, how would this affect chrome and ferrochromium related operations at the Corporation's plants in Alloy, West Virginia and Marietta, Ohio? The answer at this time can only be speculative, but we feel that the greater chance of job security lies in the reimposition of economic sanctions against Rhodesia.

According to our information, a breakdown of Union Carbide's sources of chromium ore for domestic use is 69% from Russia, 20% from Rhodesia, with the remaining 11% from other places such as Turkey. At Alloy, where 50 of our 1,200 members are included in ferrochrome products, the two chrome furnaces are relatively new and have all the required air pollution equipment. The company put considerable amounts of money into building these furnaces so as to meet the necessary pollution requirements, and it would seem foolishly wasteful to close down these operations if only 20% of its chromium source was discontinued.

At the Marietta plant where this issue concerns 300 of our 1,000 members, the Simplex chrome and Electrolytic chrome operations rely on the ferrochrome produced from the two furnaces at the same plant. While Carbide is then, apparently still depending on the Soviet Union for its chromium ore, its Rhodesian ferrochrome imports are not being used for its own ferrochromium related operations at Marietta and Alloy, but are instead directly contributing to the influx of low-cost, foreign imports with which other domestic ferrochrome and ferroalloy producers must compete. It would seem that lack of access to Rhodesian ferrochrome would only pinch the profits gained rather unfairly at other ferroalloy companies' expense.

We fear that if it is cheaper for Union Carbide to move its operations to southern Africa, as it most certainly would be, in the not too distant future the Corporation might just decide to move all of its ferrochromium related operations there also. This kind of possibility not only prophesizes the loss of scores of American workers' jobs, and the doom of the domestic ferroalloys industry, already in serious trouble, it adds a new twist to the national security argument, for then America would truly be dependent on others for another of its vital and strategic materials.

For those who might question whether or not it is really cheaper for company operation in Rhodesia, allow me to elaborate on a few facts mentioned in our resolution. Although Union Carbide claims its presence in Rhodesia provides some golden opportunities for a better life for the Blacks in Rhodesia, no amount of photographs in its Annual Reports of smiling natives standing next to an Ever-Ready Battery truck can hide the fact that the mining of chrome in Rhodesia is largely accomplished with forced labor. Almost all of the workers in these operations are black migrants. They must sign individual long term (often 12 months) work contracts. During the contract the worker cannot leave his job, he is confined to company property and company barracks. He may not leave to visit his family, and breaking this agreement constitutes a criminal act.

Mr. Ted Lockwood of the Washington Office on Africa, presented some grim African wage statistics to the Senate Subcommittee on Africa on September 12:

"In 1973 wages paid to Africans in Rhodesia were 1/11th of wages paid to Europeans . . . Gross disparities in wages based on race appear in the statistics of Union Carbide's operations in Rhodesia. In 1970 it paid its African workers $46 to $130 a month while it paid $122.50 to $750 a month to European workers. According to statistics compiled by the Rhodesian 'government,' 1971 wages for African workers in the mining industry were R $353 per year (U.S. $565 per year or $47 per month). The average for Europeans, Coloureds and Asians in the mining industry was R $4,310 per year or U.S. $7,696 per year or $641 per month. Thus in mining wages a racial disparity of 1:13 existed."

Trade unionism is practically non-existent in Rhodesia. Mr. Lockwood points out that the Industrial Conciliation Act of 1959 with subsequent amendments imposes severe conditions on the right to strike and prohibits assistance from any international trade union movement. Gatherings of 12 or more Africans require official permission and are often closely supervised or taped by the Smith regime when meetings occur. Collective bargaining is virtually impossible, while the vast majority of Africans are simply barred access to trade unions. As Mr. Lockwood logically concluded, "It is not surprising that labor costs in the Rhodesian ferrochrome industry are only 10% of the cost of production."

The chrome and ferrochrome industry is also highly subsidized by the Rhodesian government: subsidies are given in the form of cheap electricity and transportation. This kind of subsidy and the fact that there are no environmental controls in Rhodesia is more than likely what Mr. Wilson was thinking about when he talked about moving operations to where "the electrical costs are competitive."

Competition for Union Carbide and the proponents of the Byrd Amendment reeks with the most insidious aspects of the profit motive. The price of employment for American workers should not be their health and safety in a clean environment, just as the price of freedom for the Black Rhodesians should not be valued in terms of cost of chrome and ferrochrome in the U.S. market. Yet Black Rhodesia and American workers have been pitted against each other in a manner not only insulting to their integrity, but to the basic and universal values of human dignity.

The Oil, Chemical and Atomic Workers Union is not so presumptuous as to contend that H.R. 8005 will be the panacea S. 503 was claimed to be. The U.S. ferroalloys industry has for a long time been, and still is in danger for its very life; reinstatement of sanctions may not be the boost it needs, but we know that without sanctions, Rhodesia imports are certainly not the boost this industry needs. Nor can H.R. 8005 promise Rhodesian Blacks their long overdue independence, but we are sure that our compliance once again with sanctions would certainly be a more honest and effective affirmation of our support for their struggle. As H.R. 8005 would also stand as a reaffirmation of our respect for international agreements, our hope is that its passage would inspire us to vigorously search within the U.N. for all possible ways to help the Black Rhodesians break their chains of oppression.

A RESOLUTION TO INVESTIGATE POSSIBLE GROUNDS FOR IMPEACHMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. THOMPSON) is recognized for 5 minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, I am today introducing, with 15 additional cosponsors, a resolution urging the Judiciary Committee to investigate possible grounds for impeachment. This brings the total number of House Members introducing this bill to 76. Recent events have demonstrated the urgency of prompt action by the committee, and I hope that a full inquiry can begin shortly.

AGRICULTURAL RESEARCH INSTITUTE ANNUAL MEETING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota (Mr. ANDREWS) is recognized for 30 minutes.

Mr. ANDREWS of North Dakota. Mr. Speaker, the tremendous contribution of agriculture to the social and economic well-being of the Nation and the world, along with the research necessary to assure American farmers will be able to continue to make this contribution, is deserving of a great deal more attention. At the recent annual meeting of the Agricultural Research Institute in Washington, D.C., Dr. A. Richard Baldwin, vice president-executive director of research for Cargill, Inc. set the theme for the meeting with some outstanding remarks. Dr. Baldwin, who is president of ARI, discussed five major points about agricultural research and offered six suggestions on where new investments can strengthen the program.

I insert Dr. Baldwin's speech in the RECORD at this point and commend them to my colleagues:

INTRODUCTORY ADDRESS AGRICULTURAL RESEARCH INSTITUTE ANNUAL MEETING

(By Dr. A. Richard Baldwin)

The most efficient agricultural production system the world has ever seen is providing unbelievable supplies of food and fiber here in our nation. Agricultural research developed the technology which made the inputs of capital and the private enterprise system work efficiently.

Furthermore, the public and private investment in agricultural research has been so favorable that for every dollar invested there has been a return of 25 to 100 dollars. The consumer has been the main beneficiary of obtaining lower priced goods and a more reliable supply. Most of the rest of the world also has been able to feed and clothe itself better, because the knowledge gained here has been shared with them.

Yet those great contributions to the social and economic well-being of the nation and the world are not receiving their just attention! At no time within our memory has American and world agriculture come under such close scrutiny. In these times of budget cuts and fiscal awareness, we find our public and private agricultural research funds severely limited.

The challenges of meeting the burgeoning needs of our people now and in future generations must be met. So this afternoon I would like to try to clarify the problem by discussing five major points about our agricultural research. Then I'd like to offer six suggestions on where new investments can strengthen the program.

The first main point is the urgent need for more production research.

It is hard to become accustomed to talking about full agricultural output after so many years of burdensome surpluses and of subsidies for *reducing* production. Yet seemingly overnight, poor crops in many parts of the world and the affluence of Europe, Russia, Japan, and the U.S. have created unprecedented demands for our agricultural products.

Our economy depends more and more on agricultural production. Our international balance of trade in the 1972–73 crop year was highlighted by the largest positive contribution coming from agricultural products—$5.6 billion. By contrast, non-agricultural goods had a trade deficit of $9.1 billion.

So it's important to *all* of us for farmers to increase their production of crops, meat, milk and eggs at lower cost. Here's one way of gauging the need for technology to improve. During World War II we had all-out food production to feed the American population of 137 million. But that level of technology couldn't meet the demands of 210 million Americans in 1973 when we're again gearing up for high-level production. And surely the demands of the year 2000 when we have 300 million people in America cannot be met be continuing to use today's technology.

Another reason technology must improve is the limited availability of land. Too much of our good farmland disappears each year for urban development, environmental protection, conservation, recreation, and transportation. Also, much of the idle land being returned to production these days has marginal potential, and increased land by irrigation is expensive.

If it takes the production of about one-half acre to feed one person per year, think of this: there are more than 70 million new mouths to feed on this globe every year. That's as many people as we have living right now in the 24 states west of the Mississippi River. It means every 12 months the world needs the additional output of a new Iowa and Illinois together, and there is no new land like that!

The problem is getting more serious all the time. A person born in 1930 had two billion neighbors on this planet. It took two million years to reach that population. By the year 2000, that septuagenarian will have more than six billion neighbors. Three times as many people to feed in just one lifetime!

Those are reasons why agricultural research must be increasingly aggressive in developing new and more productive varieties of crops, livestock and poultry. We must solve

the difficult basic genetic problems. We must develop new and improved methods of controlling insects and other pests. We must come up with even more efficient farm equipment and management practices. We must lower the costs of irrigation and slow down erosion losses.

Furthermore, weeds, insects, and diseases do not give up. So agricultural researchers recently have used some of their limited research funds to fight Southern Corn Leaf Blight, Gibberella, and aflatoxin in Midwest corn, Encephalmalacia in Texas horses, the Citrus Black Fly in Texas groves, Newcastle disease in California poultry, the Gypsy Moth in Eastern forests, the Tussic Moth in the Pacific Northwest, the Southern Pine Beetle in Southern forests, and the Sugar Cane Stalk Borer in Florida's citrus groves. Even more of the research funds are being used to check the safety of nitrosamines in cured meats and late blight in potatoes.

Research to develop resistances to diseases and pests of crops, livestock and poultry is never ending because mutations of the diseases and pests make new problems.

Those aren't the only challenges to agricultural research. A *second* major point is that there is an urgent need for agricultural research on ways to protect and expand the quality of life.

We must continue to learn more about the essential nutritional needs of humans as well as livestock and poultry.

We must expand our knowledge of control and utilization of the byproducts of production. Solid nutrients from fields and feedlots must stay out of waterways, and farm odors must be kept out of urban areas. Proposals to recycle urban sludge and solid wastes on farmland require additional effort by agricultural scientists to study the safety of the heavy metals and pathogens that accompany the wastes.

Agricultural researchers also have taken up the vital challenge of employment and the general quality of life in the countryside, where nearly half of our population say they would really prefer to live.

In view of these vital challenges that will require tremendous efforts to solve, my *third* point is that agricultural research has the experience and capabilities for tackling these problems.

Let's look at the track record. Agricultural research led the way to more efficient production of crops, meat, milk and eggs by means of new varieties of plants and animals, improved fertilizers, irrigation, machinery, tillage and husbandry practices, better resistance to diseases and other pests, and new methods of farm management and marketing.

But it didn't stop there. Agricultural research has helped alleviate human suffering through basic discoveries related to vitamins, essential mineral elements, commercial production of penicillin, antibiotics, vaccines, viruses, genetics, artificial insemination, organ transplants, and control of anemias and diseases.

The environmental protection movement first surfaced in agriculture. Advances have been made in soil and water conservation, effects of air pollution, reforestation, and game management. Fundamental knowledge was acquired in economics, management, and social adjustment to technological change.

Our *fourth* point is that in spite of urgent needs for greater agricultural production, environmental enhancement, and rural development and the proven abilities to make major contributions in these areas, agricultural research is inadequately supported to meet the growing challenges of the future.

Agricultural research is such an "alphabet soup" of abbreviated agency names and multilayered organization charts that it is often difficult for the outsider to get the big picture. And it *is* a big picture! More than $1 billion a year divided about equally between public and private funding, and well over 20,000 agricultural scientists.

About 40% of the public half of agricultural research is conducted by 4,500 scientists in three agencies in the United States Department of Agriculture or USDA. Biggest is the Agricultural Research Service or the ARS, which had a budget of about $188 million in the last fiscal year. The House is considering a bill that would cut $15 million for fiscal 1974. This comes after similar cuts in the past two years which have meant closing 22 research locations, abandoning 42 lines of work, and leaving hundreds of jobs vacant after turnover. Other agencies under the USDA are the research arm of the Forest Service, which could see a $5 million cut from its previous budget of about $52 million, and the Economic Research Service or the ERS which may have $63,000 trimmed from its previous budget of $15,568,000.

About 60% of public research is done by 6,000 scientists at the state level, mainly in the 54 State Agricultural Experiment Stations known as SAES. Most are located on campuses of land-grant colleges and universities. For several years they have received about $260 million annually from nonfederal sources such as state legislatures; grants-in-aid from other agencies of government, foundations, and agribusiness; as well as donations from farmers' groups collected as a checkoff on agricultural production marketed by their members.

The federal government also contributes to state programs through a mechanism called the Hatch Act and an administrative agency called the Cooperative State Research Service or the CSRS. Hatch Act funds were about $69 million last year. Congressional debate has kept the upcoming budget on a roller coaster ride up and down. Right now a joint conference committee is recommending a $1 million increase, primarily for higher salaries.

The CSRS disburses funds for two other significant programs. One is for agricultural research in 17 colleges of predominantly Black student enrollment, which were established in the year 1890. These "1890 Colleges" received long-overdue additional research money during fiscal 1972. This coming year they may get $10,883,000—a most satisfying trend. We're delighted to have several representatives from the 1890 Colleges among our Agricultural Research Institute (ARI) membership.

Another program administered by CSRS involves four new centers for regional cooperation on rural development. Funds don't begin to match the size of the challenge, however. The four programs covering the entire United States must share $300,000 at present.

Let's take a look at private industry. Although there are no precise budget figures available, my personal feeling is that private industry generally is not much more aggressive in its half of the agricultural research investment. Inflation is causing many firms to reduce research projects that lack early profitability. Also, some companies being faced with sharply higher research costs for developing pesticides and feed additives that can meet new regulations in the fields of consumer and environmental protection, have curtailed research in these areas.

Our *fifth* observation is that one of the possible reasons for restrictive budgets is the recent public criticism of agricultural research. Public agricultural research has undergone extensive review by a select National Academy of Sciences committee. Twenty suggestions were made for improved efficiency. Many of these have been put into effect by state and federal agencies. However, negative criticism in the press apparently has created an unfavorable attitude among the public that resulted in restricted appropriations by state legislatures and Congress.

Furthermore, this negative atmosphere has discouraged the public from comprehending recent, significant changes which have occurred in agricultural research in response to the NAS suggestions. I would like to describe a few of these.

One area is administrative. Both state and federal programs have tightened up their organizations. Joint federal and state planning committees are now functioning on a regional basis. Planning and review of projects by peers has been broadened. The private sector has been invited to participate in public research planning committees.

Another area is substantial changing of research emphasis to meet new needs. For example, the SAES in six years ending last year has had to reduce its effort by 232 scientist man-years (SMY's). Nevertheless, natural resources research increased 164 (from 592 to 756 SMY's). Research on communities, people, and institutions increased 104 (443 to 547). Environmental quality research rose 171 (74 to 245). Unfortunately, those changes had to be made at the expense of such production items as research on field and horticultural crops which declined 136 (2,461 to 2,325) and livestock and poultry research which went down 110 (1,382 to 1,172).

The issue of rural development which I spoke about earlier is another important area of increased emphasis. Establishment of priorities and pooling of knowledge on a regional basis are just getting activated at the new rural development centers. They are located at Cornell University in New York state for the Northeast Region, at Iowa State University for the North Central Region, and at Oregon State University for the Western Region. In the South, a regional council is based at Mississippi State, and Tuskegee Institute in Alabama is filling the same role for the 1890 colleges.

Still another improvement has been in the area of better communications. For example, the USDA's Agricultural Research Service has moved closer to its "customers" by dividing into four regional centers at Beltsville, Maryland; New Orleans, Louisiana; Peoria, Illinois; and Berkeley, California. The national coordinating office remains here in the Washington area. The object is to work more closely with state experiment stations and other agricultural researchers on a regional basis. You'll be pleased to know that our ARI group has had representatives on all the ARS/SAES Regional planning groups.

In fact, the ARI makes a unique contribution to the general improvement in communications. Our membership has representatives from 147 organizations from among state experiment stations, federal agencies, scientific organizations, and leaders of agribusiness research. We're a lot like an agricultural research information *exchange*. We discuss priorities in meetings like this one. We commisson study panels. We cooperate with other scientific organizations such as our host—the National Academy of Sciences; plus the Board on Agricultural and Renewable Resources; the Space Applications Board; the Agricultural Research Policy Advisory Committee; the National Industry-State Agricultural Research Council; the Council for Agricultural Science and Technology; the National Agricultural Institute; and the National Agricultural Communications Board.

I think changes like these prove that agricultural research is trying to meet the needs of today and tomorrow, and that it is cognizant of suggestions made for constructive improvements.

It is in that same spirit that I approach the following six suggestions on where public and private fund-setting agencies could make appropriate increases in the agricultural research investment to generate even larger returns for consumers. We need new technology fo the years 1980, 1990, and 2000.

1. Agricultural research budgets should be made adequate to provide for inflation. Al-

most all budgets are failing to keep pace with the fact that research costs rise about 6% a year by inflation. No change in money from one year to the next actually results in less support.

2. Additional funds should be considered to provide more and/or better facilities and staffing in order to meet the ever-increasing research needs for our future agriculture. Likewise, funds for full staff operations should be provided when new facilities are built.

3. Congress could provide sufficient funds to the National Agricultural Library at Beltsville, Maryland to improve exchange of essential information required by agricultural scientists. This could be operated much like the National Library of Medicine. The agricultural library could use microfilm and computer to house the world's greatest collection of agricultural indexes, reports, periodicals, and references. Every library of land-grant universities and Colleges of 1890 should have quick electronic access to the data, instead of the current practice of every library having to try to collect everybody else's reports.

4. Current Research Information System (CRIS) needs additional funding to assure that all its project reports from public agencies are adequate, and current retrieval and distribution are complete and rapid, and a procedure be developed to include project reports from other research institutions.

5. I'd like to encourage more effective use of agricultural research results by a) more priority type planning between the researchers and the customers of research information and b) more urgency on the dissemination and application of research results. This would help avoid unwanted duplication, and direct the use of funds to the most urgent research needs of farmers, extension workers, rural communities, and agribusiness.

6. I'd like to offer one specific research project suggestion. Last year there were economic eruptions felt 'round the world when weather devastated crops on almost every continent. But so far there is no government agency, university, or private firm working to adapt the available technology of space satellites to worldwide monitoring of crop conditions. Agriculture needs this service. It is a challenge that needs attention and adequate funding either within the USDA or under the auspices of NASA.

In summary, we've discussed urgent needs for agricultural research on increased production, enhancing the environment, and rural development. Agricultural research has the experience and abilities to fulfill these needs if adequately funded. Funds have been restricted due to fiscal awareness and unfavorable public criticisms. Public agricultural research has responded to many of the NAS suggestions for improvements. Finally, we've suggested six ways in which additional funds could be profitably used.

Agricultural research is such an essential investment that we must take advantage of it.

PROPOSAL TO RAISE DEBT CEILING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 5 minutes.

(Mr. VANIK asked and was given permission to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, this morning the Committee on Ways and Means, over my protest, reported out a bill increasing the debt ceiling. It is as yet uncertain whether it will come to the floor of the House under a closed rule or an open rule. I expect to urge the Committee on Rules to give the House an opportunity to add a tax reform proposal or a social security proposal to this legislation.

I think the Members of the House are entitled to an opportunity to express themselves on these two items as a part of that legislation.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, I would also like to point out to the House that they have proposed to raise the debt ceiling to some $477.5 billion, an outrageous proposal at this time, and it is an outrageous proposal that cannot be justified.

Mr. Speaker, I voted against raising this debt ceiling. I pointed out that they could have gotten along with a debt ceiling of $470 billion up until January 31, 1974, or they could have at least kept it down to the limit of $475 billion. But, overnight, suddenly a request came in, and they have raised it up to the astronomical height of $477.5 billion.

This country is headed for a collision course with chaos. It is about time we did something about it. This is the only vehicle that is left with which we can do it. We can talk all we want to about the new Committee on the Joint Control of the Budget, but the only place we can act is in this debt ceiling bill.

I remember the speeches that were made on the floor of the House down through the years. I realize the country has to pay its bills, but we would not raise the debt ceiling so high as to be an incentive for the Congress and the executive branches to spend more money.

ONEONTA—CITY OF THE HILLS

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, the New York State Department of Commerce's magazine recently featured the fine community of Oneonta, N.Y., and I want to share the article with my colleagues and the readers of the RECORD.

As the article clearly indicates, Oneonta is an attractive and thriving community, a center for business, commerce, and education in one of the most beautiful natural settings I have ever seen.

The article follows:

ONEONTA—CITY OF THE HILLS

"We're a big, friendly farm town, that's all," says James Lettis, an auctioneer and the Mayor of Oneonta, New York, the "City of the Hills."

George Tyler, executive manager of the Greater Oneonta Chamber of Commerce, agrees with this modest appraisal up to a point. But, he hastens to add that this Otsego County city of 16,000 on the banks of the Susquehanna River is a *growing*, friendly farm town.

This growth he attributes to a working triple-threat formula: "Industry-Education-Shopping."

Industrial growth has been phenomenal. There was practically no industry in Oneonta in 1960. Today, area firms like Miller Trailer, Inc., Astrocom Electronics, Gladding-Del-Rey, Custom Electronics, Inc., Medical Coaches, Mold-A-Matic, Oneonta Dress Company, West-Nesbitt Inc., Sheffield Chemical, and many more, find in Oneonta an ideal industrial home.

Miller is Oneonta's newest industry, having begun full-scale production in December. This subsidiary of the Ryder system today manufactures a full line of Ryder truck and trailer transportation equipment, turning out 30 truck bodies and three 40-foot platform bodies daily, while employing 260.

Astrocom in nearby Colliersville employs more than 250 in the production of about 50 varieties of headsets and microphones. A major portion of Astrocom's business is for the U.S. Government and original equipment manufacturers, and the young firm has made substantial contributions to the nation's space program.

About 100 work at Gladding-Del-Rey, a division of Gladding Corporation, producing some 20 models of mobile recreation vehicles. Hottest Gladding item is the 30-foot "Fifth Wheel," a luxury split-level apartment on wheels.

"Industrial success in Oneonta is based on two factors," notes Robert W. Moyer, president of the Otsego County Development Corporation, as well as Wilber National Bank. "Helping existing industry expand and presenting an overall picture of community cooperation and good environment that proves singularly attractive to prospective new industries."

"The key lies in Oneonta, quite simply, being a good place to live," echoes Al Sayers, president of the Greater Oneonta Chamber and vice president and general manager of the city's major radio station, WDOS.

"I can see only growth in our future," adds Mayor Lettis.

Oneonta combines all the advantages of city living with a quiet, rural atmosphere. The city is centrally located, with convenient access to the entire Northeast market, almost equidistant from Albany, Utica and Binghamton, and smack in the center of one of the State's prime dairy farming areas.

Oneonta will become even more of an economic hub when I–88, the superhighway that will connect Binghamton and Albany, becomes a reality in a few years. A section around Oneonta is expected to be complete by December of this year.

In addition, Oneonta is just 64 miles from the east-west Thruway, 71 miles from the Northway to Canada, 61 miles from the North-South Expressway, and 60 miles from Route 17, which skirts the bottom of the State nearly to New York City.

Oneonta Municipal Airport, opened in 1966, makes Oneonta accessible by air, with two flights daily into LaGuardia in New York City provided by Catskill Airways, Inc.

The city's two fine colleges, Hartwick and State University College at Oneonta, have longbuttressed Oneonta's reputation as a major educational center. In addition, four elementary, one junior high, a new high school, a parochial school and one private school provide approximately 3,700 students with a fine consolidated school system. The Board of Occupational Education Services supplies vocational training facilities for about 300 students.

Hartwick College was founded in 1928, an outgrowth of Hartwick Seminary which was established in 1797. Today, it offers 21 major areas of liberal arts study to approximately 1,600 students.

Latest addition to its modern 16-building campus on Oyaron Hill overlooking the city is a $4 million Center for the Arts, expected to be fully occupied this fall.

State University College at Oneonta, an institution of higher learning at Oneonta since 1889, offers a wide variety of educational programs and awards both graduate and undergraduate degrees. With 5,000 stu-

dents, 1,000 employees, and a budget of $15 million, Oneonta State is a dominant factor in the economic, social, educational and cultural life of the greater Oneonta area.

The third component of Oneonta's winning formula is its retail community. Shopping is unexcelled, with many excellent stores and shops servicing a trading population of some 100,000 within a 50-mile radius. Retail sales in Oneonta totaled in excess of $50 million in 1972, 46.6 percent of retail sales in all of Otsego County.

Four shopping centers spice the Oneonta retailing scene. The newest is Pyramid Mall, an enclosed climate-controlled complex of some 127,000 square feet. The others are Oneonta Plaza, West End Shopping Plaza and the Jamesway.

Oneonta abounds in greenery, with beautiful Neahwa and Wilber parks in the city, and State parks in Cooperstown and Gilbert Lake State Park in neighboring Laurens. There are three public golf courses and one private. Water sports enthusiasts can revel in nearby Goodyear and Arnold lakes, and incomparable Otsego Lake in Cooperstown.

For the spectator sportsman, the Class A Oneonta Yankees of the New York-Pennsylvania Baseball League, and the semi-pro football Oneonta Indians provide professional sport excitement. The city's two colleges provide baseball, basketball, wrestling and soccer thrills.

In 1972, Oneonta became the soccer capital of the State, when SUCO nosed out Hartwick in the NCAA torunament in a game played in Oneonta and then went from there to the finals at Edwardsville, Illinois. This interest has spilled over into the city's soccer program, with about 1,300 kids enrolled.

Quality of living is high in Oneonta, which once enjoyed considerable glory as a "Railroad Town." In fact, Oneonta, once inhabited by Algonquin and Iroquois Indians, really began to grow in 1865 when the Albany and Susquehanna Railroad, now the Delaware and Hudson, reached the city. By the early 1870's, Oneonta was a railroad center of national importance. At one time, 72 passenger trains operated in and out of Oneonta daily. The D & H roundhouse was one of the largest, and its turntable the longest, in the world. The "hump system" of switching freight cars was developed in Oneonta.

Today, the Oneonta scene is a modern and progressive one, with growing colleges, prosperous industry and a healthy and growing retail shopping base. An Urban Renewal project is well beyond the planning stage, with Federal approval having been granted for the 300,000 square foot, $5 million plus project that will alter the face, but not the vibrant personality, of the city. At present, two new buildings are under construction, seven buildings are being rehabilitated and one is being rehabilitated with an addition.

All in all, the "City of the Hills" is a city on the move!

PUBLIC OPINION AND ITS IMPACT

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, in the 5 years that I have been a Member of Congress, I have never witnessed a more vociferous and overwhelming outpouring of emotion as the mail I have received on the subject of the impeachment of the President. In just 3 days, and my office is still reading and counting, I have received 2,195 letters and telegrams calling for the impeachment of the President and 22 letters supporting the President. Many of those writing to me are doing so for the first time and the emotions conveyed range from the deepest sadness and disillusionment to the greatest anger.

Clearly as a result of the public outcry, the President yesterday agreed to turn over the White House tapes to Judge John Sirica. If anyone doubts the effect of public opinion, the outpouring of mail over the last few days to all Members of Congress and the White House and the President's subsequent reaction must surely remove those doubts.

TRUCKS CONTINUE TO POLLUTE

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, it has been brought to my attention through an article which appeared in the New York Times, of October 13, 1973, that the Environmental Protection Agency is either unwilling or unable to set necessary antipollution regulations for our Nation's 23 million trucks at this time. The article quotes a trucking industry representative's response in avoiding tough regulation as "the most effective coup that industry has pulled off on the Environmental Protection Agency."

Eric Stork, Deputy Assistant Administrator of the Agency, is cited in the article as predicting new regulations for trucks would be in effect by 1977 or 1978, though some officials of that Agency and apparently the trucking industry as well, are confident that such standards will not be in effect until 1980. Given the severe air quality problems of our central cities, that is an intolerable and unnecessary delay.

While there are only about one-fourth the number of trucks as cars on the road—23 million trucks to 100 million cars—a truck emits in the range of 10 times the pollutants as a car does. Though there are undoubtedly technical problems in setting the standards, it can be done. Indeed, the New York City Department of Air Resources has established tests to arrive at such standards. They are admittedly imperfect but far better than no standards.

I have written to EPA Administrator Russell Train requesting that whatever has to be done, testing or otherwise to establish antipollution norms for trucks be done now. To wait until 1980 or even 1977 would show an indifference by the Federal Government which could only be described as gross negligence. The Commissioner of the Department of Air Resources of New York City, Fred C. Hart, has told me that with current schedules of antipollution device implementation for cars, trucks would be causing 80 percent of the central Manhattan air pollution by 1980.

Without controls over truck emissions the current levels of truck pollution will make it virtually impossible for New York City to meet the ambient air quality standards required by the Clean Air Act.

It should be unacceptable to this Congress if the Environmental Protection Agency fails to immediately meet this problem. And if it fails to undertake to discharge its responsibility, then Congress will have to undertake to mandate these standards.

ELLIOT RICHARDSON

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, Elliot L. Richardson by his decision to resign rather than break his commitments to the Congress and to the American people, has provided us all with an outstanding example of the kind of integrity we should expect in high public office—integrity which has been unfortunately lacking in too many instances in recent years.

Since his appointment this spring as Attorney General, Elliot Richardson has consistently recognized that his office involved an obligation extending to all the people of this Nation. His understanding of the need for a special prosecutor in the Watergate case and related matters is perhaps the most obvious example, but there are many more.

Alone among recent Attorneys General, Elliot Richardson comprehended the vital necessity that the Justice Department not only be impartial but that it be perceived as impartial. In his short term as the Nation's chief law enforcement officer, he initiated a series of reforms designed to restore public confidence in the administration of justice by the Department of Justice.

Elliot Richardson had sought to remove the Justice Department from politics. He had initiated action to monitor ethics within the Department and to require records of communications to the Department by persons not directly concerned with matters before it. He had directed the reopening of the Kent State investigation and of the decision by his predecessors not to convene a grand jury.

I sincerely hope that his successor in the Office of Attorney General will reaffirm these policies.

As a member of the Judiciary Committee, I have followed closely the public acts of the Justice Department under the leadership of Elliot Richardson. While I did not always agree with his decisions, I would like to take this opportunity to commend Mr. Richardson's openness and fairness and his dedication to justice.

The Justice Department and the United States were well served while Elliot Richardson was Attorney General. I might add that, as a Harvard college classmate of Mr. Richardson, I have been particularly gratified by the honor his career has reflected on his alma mater.

Mr. Speaker, in August Attorney General Elliot Richardson made an illuminating speech to the American Bar Association outlining his reforms at the Justice Department. The text of his speech follows these remarks.

ADDRESS BY ELLIOT L. RICHARDSON

In addressing this great organization of lawyers, I speak as a lawyer who has returned to a profession he loves. Believing in the law as the organizing principle of an ordered society and the indispensable attribute of a humane one, I am sensitive to the law's imperfections and jealous of its reputation. Like

you, I am eager to be called upon to play a part in assuring that all the members of our profession are held to its high ideals.

As a lawyer charged with heading the national government's legal department, I feel a special responsibility—and a special concern—toward the law. Whatever stains—whatever calls into question—the integrity of the Department of Justice damages confidence not simply in the Department but in government itself.

Confidence is not a structure built of stone that can withstand the buffeting winds of accusation and mistrust. It is the expression, rather, of trust itself. It is as fragile as it is precious, as hard to restore as it is easy to destroy. And yet it is obvious that trust is necessary to the very possibility of free self-government. The good health of the body politic needs the tonic of skepticism, but it cannot long survive massive doses of cynical acid.

Having taken office as Attorney General in the midst of the darkening cloud of suspicion and distrust engendered by Watergate, I recognize it as my first duty to do what I can to eliminate the causes of distrust. This is the charge the President placed upon me. This is the undertaking to which I have devoted my principal efforts since becoming Attorney General. This will continue to be the objective of my stewardship of that office—and I hope this tour will turn out to be longer than my past assignments!

I am reminded of the words of a great judge, a great legal scholar and man who gave much to the law—Mr. Justice Cardozo. As he said at the end of his "Ministry of Justice" address:

"The time is right for betterment. The law has its epics of ebb and flow. One of the flood seasons is upon us. Men are insisting, as perhaps never before, that law shall be made true to its ideal of justice."

For the Department of Justice, the first step toward betterment must be to look squarely and unblinkingly at the factors which have impaired confidence in us, however unfair their generalized formulation may be to the overwhelming majority of Department employees. Ninety-nine and 44/100% pure is not now—if it ever was—good enough.

There are, it seems to me, three factors which—in the climate of Watergate—have contributed to diminished confidence in the Department of Justice:

(1) the suspicion that political considerations or political influence can color the administration of justice;

(2) the suspicion that who you are or what you stand for is reflected in the inconsistent or unfair application of legal standards;

(3) the suspicion that the Department is not sufficiently honest in its communication with press and public.

The first of these factors—the question of politcal influence affecting the administration of justice—is not a new one, but Watergate has given it a new burst of prominence.

In recent history, under both parties, the Attorney General has been more than a political appointee, he has frequently been—before and after he came to the Department of Justice—a politcal operative as well. Now, I have nothing aaginst political operatives. I have been one myself. And there is still a place for politics as usual—but not in the Department of Justice. To the extent we are handicapped by the suspicion of political influence, we cannot afford to have at the head of the Department—or in any of its key positions—a person who is perceived to be an active political partisan. Past Attorneys General have, I know, been able to draw a line between their political and professional responsibilities. But a citizen of the Watergate era who perceives an Attorney General wearing his political hat is scarcely to be blamed for doubting whether he ever really takes it off.

I have decided, therefore, that one direct contribution I can make to countering the suspicion of political influence in the Department of Justice is not only to foreswear politics for myself but to ask my principal colleagues to do the same. It is my earnest hope that those who follow us will see fit to make the same promise. Other Departmental employees, including the U.S. Attorneys, have recently been reminded by the Supreme Court that the Hatch Act is still alive and well, and on their part no new self-denial is needed.

I am, in addition, today announcing the issuance of a Departmental order formalizing and making uniform a procedure for making records of contacts with Departmental personnel by outside parties. The order requires Departmental employees to make a memorandum of each oral communication about a matter pending before the Department from a "non-involved party." The employee will keep one copy of the memorandum and place another in the case file.

A "non-involved party" is someone with whom the employee in the routine handling of the matter would not normally have contact, including Members of Congress and their staffs, other government officials, and private persons not directly concerned in the matter. Only news media representatives are excluded.

This new reporting system should result in at least two useful by-products. One is a contemporary record of contacts with the Department that can be called upon should the need arise to rebut some accusation of improper influence. Beyond that, its very existence will discourage approaches to the Department by those who are not confident of the purity of their motives.

As one more step in the same direction we have put an end to the practice of giving a Senator or Congressman, through advance notice, the chance to announce a grant in his state or district. While this is a time-honored practice—and there may be nothing inherently wrong with it—it does inevitably, if not intentionally, create the public impression that the Senator or Congressman had some sort of influence on the result when, in fact, he had nothing to do with it.

The second of the factors affecting confidence in the Department of Justice—the suspicion that who you are or what you stand for is reflected in the inconsistent or unfair application of legal standards—is one which, like so many, lends itself more easily to rhetorical expressions of concern than to rigorous attention to concrete performance.

It seems to me requisite that we fully appreciate what may seem like so much more facile rhetoric: that our democratic system fundamentally cannot tolerate—cannot withstand—one law for the rich and another for the poor, one law for the strong and another for the weak, one law for Washington and another for the country.

It is imperative—not only morally requisite but practically requisite—that our democratic rhetorical commitment to fairness-across-the-board be matched by consistent performance.

To ensure the consistent and fair application of legal and moral standards by the Department of Justice, I am considering the establishment of an Inspector General's Office—with full authority and responsibility to assure that those who are charged with executive responsibility for a precious public trust are consistently worthy of that trust. At my regular weekly staff meeting later today I will appoint a Committee on the Office of the Inspector General to analyze this concept and to report promptly to me on the merit of its application to the Department of Justice.

Bill Ruckelshaus, whom the President has nominated as Deputy Attorney General, will serve as chairman of this Committee—whose membership will also include the Director of the FBI and representatives of affected components of the Department.

To help ensure greater consistency in the application of legal standards across the country and across levels of government, I have established an Advisory Committee of U.S. Attorneys and taken steps to foster more frequent and more systematic contact with the National Association of Attorneys General. It is my hope that, working together, we may find ways to develop and implement coherent and consistent approaches to matters of widespread public concern—in such areas as consumer protection, drug abuse prevention and protection of the environment.

In so doing, we must of course recognize our obligation to preserve those variations in practice which are vital to the health of our pluralistic system. But we cannot allow ourselves to foster or to preserve practices which undermine respect for the capacity of the system to treat people—all the people—fairly under law.

The third area in which we are attempting to counter suspicion and create confidence is in the center and openness of our conduct of the administration of justice.

We start from the awareness that we are accountable to the people of the United States. The Department of Justice has no interests and no objectives separable from theirs. We have an affirmative responsibility toward enabling them to make wise and responsible choices among clashing policies and competing interests. We have a corresponding responsibility to help assure that they are as fully informed as possible about what we are doing and why. This means that information in our hands should be withheld only where in a given case some clear public interest outweighs the public interest in freedom of information. The burden of proof should always be on establishing the need for withholding information.

Where the administration of justice is concerned, there are inevitably numerous situations is which this burden has to be assumed. But most people are quite ready to recognize that the protection of a confidential source, the safeguarding of an individual reputation or the conduct of an investigation creates a legitimate need for confidentiality. The harder task is to make sure in each instance that the need is real and to insist upon the application of consistent standards.

As the Government's chief legal agency, we have a special responsibility for the administration of the Freedom of Information Act by the Government as a whole. It is vital that the justified expectations of our citizens for access to Executive information not be thwarted by administrative delays or inconsistent responses from the various agencies. Accordingly, in my testimony before three Senate subcommittees on June 26, I announced four new steps that the Justice Department would undertake immediately to insure that the Act fulfills its promise of opening up Government and bringing it closer to the people. As the first of these steps, I have advised all Executive agencies that our litigating divisions will not defend Freedom of Information lawsuits unless the Freedom of Information Committee in our Office of Legal Counsel has been consulted prior to denial of a request.

I am, further, initiating a comprehensive government-wide study of the Freedom of Information Act for the guidance of both the Executive Branch and the Congress in improving the administration of the Act and clarifying its provisions.

The way in which the Department of Justice carries out its functions in any situation where reporters or news media are involved is also important. Reporters have a primary responsibility to the public, just as we do. This responsibility can lead them into controversial situations. But the prosecutorial power of the Department should never be used—not even by indirection or

innuendo—in a way that could weaken the exercise of First Amendment rights. Responsive to this concern, the Department of Justice in 1970 issued guidelines restricting issuance of subpoenas to the news media. These have worked so well that only 13 subpoenas have been issued and only 2 of those were contested. These guidelines have been viewed as a model for the nation.

With the same concerns in view, we are now considering a new Departmental directive which will require my specific approval before a newsman can be questioned, served with a subpoena, or made a defendant in any Federal court proceeding.

Such, then, are the measures for dispelling suspicion and restoring confidence presently in effect or under consideration. More can certainly be done, and we are continuing to look for additional such measures. Suggestions will be welcome. But there is another—and more affirmative—side of the confidence-building process, and that is in the improvement of performance.

One obvious opportunity is in the management of the Department. My predecessors, by and large, have had little interest in this area, perhaps because they have thought of the Department as first and foremost a law office and only incidentally as a government department like other government departments. Having come to Justice directly from four and a half years in other bureaucratic institutions, I tend to emphasize its latter aspect. It is a fact, at any rate, that the Department includes nearly 50,000 people, of whom only 6½% are lawyers. Its biggest components are the FBI, the Immigration and Naturalization Service, the Bureau of Prisons, and the newly created Drug Enforcement Agency. These agencies, together with the Criminal Division, the Parole Board, and the Pardon Attorney, embrace all the elements of a criminal justice system except the courts. And yet, ironically, the Department has never had a comprehensive criminal justice planning capacity, notwithstanding our consistent preachment to the states and their subdivisions through LEAA that comprehensive planning is a prerequisite for the efficient allocation of criminal justice resources.

One of my aims is thus to build at the Federal level the kind of comprehensive planning capacity we have been urging on the states. More broadly, we need to apply the same approach to the allocation of resources for all Departmental functions. Our review of fiscal 1975 budget requests is just now getting under way, and each part of the Department, including the litigating divisions, is being asked to explain not only what resources, in terms of money and manpower, it allocates to which existing tasks, but also to rate those tasks on a priority scale. New requests will be similarly rated, and Assistant Attorneys General and bureau heads will be required to make tough choices whether to scrap old programs or whittle them down in order to accommodate new priorities.

To assist in this process I plan to create a new division in the Department to be headed by an Assistant Attorney General for Management and Budget. It is much too soon, however, to make any grandiose claims for the rigor and rationality of the likely results. To plan, to budget, to allocate is to choose, and in all too many areas of Departmental responsibility, we lack the criteria for intelligent choice. Our statistical data base is inadequate. Our ability to determine what works and what doesn't work—our capacity, in other words, to evaluate—is rudimentary. And while it is inherently difficult to measure the comparative costs and benefits of alternative approaches to dealing with any human situation, to recognize that the task is hard is no excuse for the failure to tackle it.

Take, for example, today's announcement of the Uniform Crime Report for 1972, which showed a two per cent drop in crime nationwide—the first in 17 years. Violent crime increased two per cent last year, which is certainly nothing to brag about, but it does represent the smallest increase in 11 years.

I wish I could tell you with certainty what caused that decrease. I certainly believe the strenuous efforts of the Justice Department, the Law Enforcement Assistance Administration's massive grants to all parts of the criminal justice system, and coordinated planning in each of the states had a lot to do with it. But the truth is no one knows with certainty what the causes of the reduction are, and finding out is one of the things we need to work on.

For us at Justice the opportunities that lie ahead are full of promise and excitement. We can help people to be less afraid by giving them less reason to be fearful. We can cut the toll of drug abuse and prevent young people from seeking employment in crime because no other employment is open to them. We can speed the administration of justice and promote the consistency of sentencing. We can bring honesty and realism to the question of why our correctional systems so seldom correct. We can cut through restraints on the freedom to compete and protect the victim of consumer fraud. We can bring greater equity and efficiency to the administration of our immigration laws. We can help bring about a cleaner environment. We can show by the promptness and courtesy, as well as the fairness and responsiveness, of our dealings with all of our fellow citizens that we recognize their individual worth.

In all of this we shall work closely with you, for we know you share the same ends and the same devotion to the law as a means to their achievement. By our actions, singly and in combination, we can take part in the building of a new confidence.

Thank you very much.

JAMES H. QUELLO

(Mr. MITCHELL of Maryland asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. MITCHELL of Maryland. Mr. Speaker, the President has nominated James H. Quello to serve on the Federal Communications Commission. I oppose Mr. Quello's nomination because despite his surface connections with the black community, I believe he is not sufficiently sensitive to the needs of black citizens, our aspiration in the world of the media. No one can deny that telecasts and broadcasts have tremendous impact on our lives and these can influence public opinion in a significant fashion.

However, there are other good reasons to oppose the Quello nomination. These reasons are spelled out in the editorial, "Why a Broadcaster" published in the Baltimore Afro-American newspapers. I would hope that my colleagues in the House will join me in opposing the nomination of Mr. Quello after reading this editorial.

WHY A BROADCASTER?

Why is it so important to President Nixon that a broadcaster be placed on the Federal Communications Commission?

Apparently the FCC works effectively without people whose interest in the industry could be stronger than their concern for the public welfare. Nixon's addition of former broadcaster Robert Wells (1966–1971) did nothing special for the FCC.

If the President goes ahead with the proposed nomination of retired industry man James H. Quello, a negative reaction will result.

For one thing, a confidential memorandum discussing his sensitivity to minorities and their problems rated Quello negatively.

In addition, Quello's former connections with Storer Broadcasting and Capital Cities Broadcasting Corp. would put him in a position of possibly removing himself from hearings involving stations that reach millions of people in some key markets.

The FCC has available to it expert broadcasting area people. It does not need a man with broadcasting history to assure its effectiveness. It certainly does not need a man with questionable sensitivity to minority problems among its members.

The public is losing one of the best representatives it ever had on the FCC with the departure of Nicholas Johnson.

The challenge to the FCC will be great over the next several years. It should not be hampered by fears that some of its members could be more interested with the industry's welfare than with that of the public.

President Nixon should keep that in mind when he makes appointments. The Senate must be aware of it when called upon to consent to any nomination.

PROPOSED CHANGE IN TRANSITIONAL RULES OF CHARITABLE REMAINDER TRUSTS

(Mr. BURKE of Massachusetts asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, I am today submitting for the Members attention some of the written statements of Shriners Hospitals for Crippled Children before the House Ways and Means Committee on the subject of tax reform, April 13, 1973. I feel it is imperative that the Members of this body act to approve H.R. 3227, legislation I have introduced this session, which will provide an extended transitional rule to conform certain unqualified charitable remainder trusts to the existing rules of section 644 of the Code so as not to unfairly deplete trust funds passing to charity. The evidence and justification for this move is ample and ably set forth in the following testimony:

TESTIMONY

I. SUPPORT OF PROPOSED CHANGE IN TRANSITIONAL RULES OF CHARITABLE REMAINDER TRUSTS

A. Summary

Under existing law, I.R.C. Sec. 2055(e) denies an estate a charitable contribution deduction for the value of a charitable remainder unless the contribution is in the form of a charitable remainder annuity trust or charitable remainder unitrust described in Sec. 664. A correlative result is that the unqualified interest, if in a trust, is not exempt from income tax (as are Sec. 664 trusts) and is subject to tax under the rules of Subchapter J. Existing regulations permitted unqualified charitable remainder trusts to be amended, if allowed under local law, and the amended (i.e., conformed) trusts are treated, for federal tax purposes, as if these trusts had been correctly drawn originally. See Regs. § 1.664—1(f)(3). The benefits under the regulation did not continue beyond December 31, 1972 (unless a judicial proceeding was begun before that time and amendment of the testamentary or inter vivos trust occurs thereafter). The transitional rule contained in H.R. 3227 would continue, in purpose and effect, the same rights granted by the regulations for an additional three years in the case of testamentary

trusts. It does so by adding new Sec. 2055 (e)(3) and providing the Treasury Department with regulatory authority to deal with related federal tax matters affecting such trusts. The three additional years represents, in our judgment, and that of other public charities, the time reasonably and actually necessary to avoid undue hardship in the implementation of present law. The extension of time provided for in H.R. 3227 gives public charities the opportunity to reclaim substantial sums in lost trust principal [1] and assure that reformed charitable remainder trusts are subject to those private foundation rules which Congress thought appropriate for Sec. 664 trusts.

B. Description of need for extended transitional rule

Shriners Hospitals for Crippled Children receive approximately 100 wills each month providing bequests and devises and of this number there are, on the average, about 15 each month providing for charitable remainder trusts. Since the effective date of Secs. 664 and 2055(e), it received and became the beneficiary of more than 100 unqualified charitable remainder trusts created by testators who died after December 31, 1969.[2] The usual reasons for the failure of the charitable estate tax deduction (under Sec. 2055(e)) are as follows:

1. The trusts are not in proper annuity or unitrust format; or

2. The annuity trust or unitrust was inexpertly drafted and does not conform to the governing instrument rules contained in the statute, regulations and/or Rev. Rul. 72-395, I.R.B. 1972-36, 21; or

3. Existing instruments (in existence on October 9, 1969) were modified by codicils, both substantively and non-substantively, requiring the will to be treated as republished. (S. Rep. 91-552, 91st Cong., 1st Sess. at p. 34, fn. 5). See, Prop. Regs. § 20.2055-2 (e)(3) and (4), 37 F.R. 7895 (April 21, 1972).

If a trust contained in the will does not conform to the provisions of Sec. 664 and the regulations, the estate is denied a charitable contribution deduction under Sec. 2055(e). In the absence of a tax clause in the will, the incremental tax attributable to the loss of the deduction normally comes from the corpus of the split interest trust under the uniform rules governing allocation of federal estate tax.[3] This means, for example, in several of our unqualified trusts upwards of $250,000 in additional federal estate tax (payable by reason of the failure to have a qualified trust) comes out of the share of the monies otherwise payable to us upon the death of the income beneficiary. Likewise, if a charitable remainder trust is beneficiary of the residuary of an estate, and the will has the normal tax clause requiring that all federal taxes be paid out of the residuary, the additional estate tax due because of Sec. 2055(e) again falls upon the public charity. Thus, although the drafting error was made by the testator or his lawyer, the loss of trust principal (paid in additional estate taxes) is borne in nearly all events by the public charity. Since one of the principal purposes of Sec. 664 was to preserve and protect the charity's interest in the remainder, it is a peculiar irony that that particular change in law has the effect of depriving the public charities of amounts the law was trying to assure it would receive.

Of the 100 unqualified trusts, about 20 trusts involve a sufficient economic interest impelling us to seek reformation of the instrument by judicial proceeding or agreement between all parties in interest, if permitted by state law. Agreements by all concerned with the testamentary trust—except the decedent—to amend or conform the testamentary trust contained in the will may be done, without resort to judicial proceedings, pursuant to state legislation enacted principally on the initiative of our organization.[4] In addition, we are a party to various judicial proceedings where executors ask the local courts to amend or conform unqualified testamentary trusts to the requirements of Sec. 664. The parties in interest seek to have the local court add all of the necessary terms and conditions to the trust provisions contained in the will, to delete those provisions inconsistent with Sec. 664 and, thereby, provide a basis for the estate to claim a charitable deduction under Sec. 2055(a) not otherwise allowable because of Sec. 2055(e). When all the interested parties voluntarily join in these proceedings, we usually find that a court will enter a decree creating the necessary form of annuity trust or unitrust. The executor, thereafter, files his original or amended estate tax return, claiming the appropriate deduction for the present value of the remainder interest. Through December 31, 1972, the opportunity to reform unqualified trusts would preserve for our charitable activities approximately $500,000 to $750,000 in trust principal (with a corresponding loss in federal estate tax revenues).

C. Review of Expired transitional rules contained in Tax Reform Act of 1969 and regulations

It was recognized by the Congress that the new rules for these trusts would require a certain amount of time to facilitate the changeover from the previous standards.[5] Section 201(g) of the Tax Reform Act provides that in the case of wills in effect on October 9, 1969, the old rules would apply if the decendent dies prior to October 9, 1972 without having republished his will by codicil or otherwise.[6] Even this latter condition may be modified. (*Cf.* H. Rep. 92-781, 92d Cong., 2d Sess. (to accompany H.R. 1247)). The transitional rule contained in the Tax Reform Act permitted an estate tax charitable deduction for trusts using the far less restrictive format permitted by prior law and *did not require reformation of the governing instrument.*

As the drafting process for the Sec. 664 regulations was undertaken, it became apparent that implementation of that section created a number of problems for the uninformed or underadvised testator. The Act's transitional rule was too narrowly drawn to protect the innocent. The first set of proposed regulations were promulgated August 5, 1970, 35 F.R. 12467. Under Prop. Regs. § 1.664-1(f), the Treasury Department attempted to minimize the adverse impact upon contribution deductions for governing instruments, drafted after the transitional rule date of October 9, 1969, which did not conform to the requirements of either Sec. 644 or the additional governing instrument tests contained within the proposed regulations.

The regulations permitted a reformed inter vivos or testamentary trust to be treated as a qualified trust for all purposes, including the allowance of a charitable deduction for income, estate or gift tax purposes as if the will (or other governing instrument) of the donor, regardless of when drawn, had been properly drafted in the first place. Amendments to reformed trusts had to be concluded by January 1, 1971 (or judicial proceedings begun before such date). After lengthy hearings on the original regulations, the August 5, 1970 regulations were withdrawn and a new set of proposed regulations were promulgated on September 18, 1971, 36 F.R. 18667.

During the intervening period, the Treasury Department published T.I.R. 1060 (December 18, 1970) and T.I.R. 1085 (June 11, 1971) extending the date for effecting reformation. At a subsequent hearing on the reproposed regulations. Shriners Hospitals suggested that the regulations make permanent the opportunity given to executors, trustees and other interested parties of unqualified charitable remainder trusts to amend the governing instrument to conform it to the rules of Sec. 664 and proposed regulations. A permanent "transitional" rule for the regulations was rejected.

It is apparent from both versions of the proposed regulations and the final regulations that the Treasury Department agrees that amendments to unqualified instruments (regardless of the date the trust was created after July 31, 1969) by judicial proceeding, binding agreement or otherwise,[7] until December 31, 1972,[8] was proper to assure orderly transition ino the new rules governing charitable remainder trusts.

D. General discussion of application of H.R. 3227

H.R. 3227 amends Sec. 2055(e) to add Sec. 2055(e)(3), a relief provision aimed at reducing the hardship caused by the enactment, in 1969, of the complex charitable remainder trust rules affecting certain charitable "bequests, legacies, devises or transfers." It should, accordingly, be liberally construed to effectuate its purpose of allowing a charitable deduction when the final version of the trust conforms to Sec. 664.[9] Its premise is that the resultant qualified trust, effectuated through judicial proceeding or binding agreement, was actually in the will (or other governing instrument) as of the date of the decedent's death.

H.R. 3227 liberalizes the amendment or conformation rights contained in Regs. § 1.664-1(f)(3) as applied to Sec. 2055(e). The bill has a number of material distinctions which should be noted in the event questions may arise as to the scope or extent of its application. Under the regulations, the original bequest or transfer had to be in trust and such trust had to be created subsequent to July 31, 1969 and prior to December 31, 1972 (apparently even if created as a revocable trust). In addition, at the time the trust was created, the governing instrument (whether deed of trust or will) had to give the qualified beneficiary "an irrevocable remainder interest in such trust." Regs. § 1.664-1(f)(3)(i).

1. H.R. 3227 requires only an "interest in property" to pass from the decedent to the charitable beneficiary. If the interest is not in trust at the time of decedent's death (*viz.*, from January 1, 1970 to December 31, 1975), the deduction is nevertheless allowable if the interest is properly and timely amended or conformed under proposed Sec. 2055(e)(3).

(2) The key date for application of the reformation right is the date of death of decedent, not the date on which the original transfer in trust (if that is the case) occurred. Under the regulations, it appears that if a revocable trust was created and funded before July 31, 1969 and later became irrevocable because of the death of one of the income beneficiaries or relinquishment of certain powers, no right of amendment or conformation exists in the regulation. This "creation" problem is eliminated by H.R. 3227, and the deduction allowed, where the transferred interest is properly and timely amended or conformed under proposed Sec. 2055(e)(3).

3. The regulations require that the donor have originally transferred an irrevocable remainder interest. This is not required by H.R. 3227. If the charity received, by reason of the death of the decedent, a future remainder, regardless of form, including clearly conditional interests, it is eligible to seek reformation of that interest into a Sec. 664 trust. For example, assume a charity received an interest from a decedent which provided for private income interests but a charitable remainder *only if* the decedent's daughter, childless at his death, dies without descendents who survive both her and her mother. Under prior law no deduction was

Footnotes at end of article.

available (*Estate of Sternberger* v. *United States*, 348 U.S. 197 (1955)) because there was the possibility that the transfer to charity would not become effective. Under H.R. 3227, an estate tax charitable deduction is allowed if the end result is a qualified charitable remainder trust described in Sec. 664. In other words, H.R. 3227 will permit transfers or bequests conditional in form (*Cf.* Rev. Rul. 64–129, C. B. 1964–1, Part 1, 329) to be rendered deductible if they become unconditional in fact by an amendment or conformation contemplated by proposed Sec. 2055(e)(3).

4. Under prior law, before a deduction was allowable for the value of the charitable remainder in trust, the probability of invasion or divestment or dissipation (including allocation of capital gains to the income beneficiary) by the Trustee, for the benefit of the income beneficiary, had to be "so remote as to be negligible." *Ithaca Trust Co.* v. *United States*, 279 U.S. 151 (1929). Thus, as stated in regulations (Regs. § 20.2055–2(b)) applicable to decendents dying before January 1, 1970 (and thus unaffected by Sec. 2055(e) in its present form):

"If, as of the date of a decedent's death, a transfer for charitable purposes is dependent upon the performance of some act or the happening of a precedent event in order that it might become effective, no deduction is allowable unless the possibility that the charitable transfer will not become effective is so remote as to be negligible. If an estate or interest has passed to or is vested in charity at the time of a decedent's death and the estate or interest would be defeated by the performance of some act or the happening of some event, the occurrence of which appeared to have been highly improbable at the time of the decedent's death, the deduction is allowable. If the legatee, devisee, donee, or trustee is empowered to divert the property or fund, in whole or in part, to a use or purpose which would have rendered it, to the extent that it is subject to such power, not deductible had it been directly so bequeathed, devised, or given by the decedent, the deduction will be limited to that portion, if any, of the property or fund which is exempt from an exercise of the power. The deduction is not allowed in the case of a transfer in trust conveying to charity a present interest in income if by reason of all the conditions and circumstances surrounding the transfer it appears that the charity may not receive the beneficial enjoyment of the interest."

Regardless of the foregoing considerations, such as ascertainability of the value of the charitable interest as of decedent's death, a deduction will nevertheless be allowed if the transferred interest is properly and timely amended or conformed. Thus, even where prior law would have caused loss of the deduction,[10] if a testamentary trust as orginally created is amended or conformed so that there are *no* invasion rights (as required by Sec. 664, the deduction is permitted.

For example, suppose the decedent, by will, created an unqualified testamentary charitable remainder trust (without annuity or unitrust format) and, under the original terms of the testamentary trust, permitted the trustee to distribute to the wife such amounts of corpus as were necessary for her "happiness" (*Merchants Nat'l Bank* v. *Comm'r*, 320 U.S. 256 (1943)) or for her "pleasure" (*Henslee* v. *Union Planters Nat'l Bank*, 335 U.S. 595 (1949)). Under prior law, no deduction was allowed. Under proposed Sec. 2055(e)(3), a deduction would nevertheless be allowed if the trust is properly and timely amended or conformed to the unitrust or annuity trust format to extirpate all provisions which would disallow the deduction.

In similar fashion, suppose the decedent, by will, created an unqualified testamentary charitable remainder trust (without annuity or unitrust format) and the original trust permitted allocation of all capital gains to ordinary income for the benefit of the private beneficiary. Under prior law, the charitable deduction was not allowable. *Gardiner* v. *United States*, 1972–1 USTC §12,841 (9th Cir. 1972). A deduction would be allowed if the trust is properly and timely amended or conformed under Sec. 2055(e)(3) (which bars such allocations).

5. Under prior law, the death of a noncharitable income beneficiary was not treated as a disclaimer in order to render deductible a charitable bequest which was speculative at the time of decendent's death. *City National Bank and Trust Co.* v. *United States*, 312 F. 2d 118 (6th Cir. 1963). There may be instances when an income beneficiary may die after the period specified in the final flush sentence of Sec. 2055(a), necessitating the type of adjustment covered by H.R. 3227. When it is clear from the will that the deceased income beneficiary's interest passed from the decedent at the date of his death, then a court of competent jurisdiction, through a post-mortem guardianship, could appoint a guardian to facilitate the amendment or reformation enabling the estate to claim the deduction for the present value of the property passing to charity computed as of the date of decedent's death. In the above case, the deduction would be computed without regard to the income beneficiary's death, using the actuarial tables (age and sex) applicable at the time of the testator's death. No increase in the estate tax deduction would occur by reason of the premature death of the income beneficiary.

E. Expanded transitional rule induces unqualified trusts to become subject to Internal Revenue Service oversight

Part of the Chapter 42 limitations imposed upon private foundations' activities are applied to charitable remainder annuity trusts and charitable remainder unitrusts described in Sec. 664.[11] These rules are applied to qualified charitable remainder trusts to prevent the use of such trusts as vehicles to avoid the limitations placed on private foundations:

"Prior law did not impose restrictions or requirements on nonexempt trusts similar to those imposed by the Act on private foundations. In addition, the allowability of a charitable contribution deduction (for income, gift, and estate tax purposes) for a gift to charity in the form of an interest in trust was not conditioned on the existence of provisions in the trust instrument which prevent the trust from violating restrictions or requirements of this nature. * * * If a nonexempt charitable trust were not subject to many of the requirements and restrictions imposed on private foundations, it would be possible for taxpayers to avoid these restrictions by the use of nonexempt trusts instead of private foundations. * * * The Act prevents the avoidance of the foundation rules by providing generally that nonexempt charitable trusts are subject to most of the same requirements and restrictions as are imposed on private foundations. The restrictions made applicable are those relating to termination of private foundation status, governing instruments, self-dealing, retention of excess business holdings, and the making of speculative investments or taxable expenditures." [Generally, General Explanation of the Tax Reform Act of 1969, Dec. 3, 1970, at p. 88]

The two important limitations which apply to charitable remainder trusts deal with limitations on self-dealing (I.R.C. Sec. 4941) and making of taxable expenditures (I.R.C. Sec. 4945). Self-dealing limitations exist as a shield for the charitable remainder:

"[To] minimize the need to apply subjective arm's-length standards, to avoid the temptation to misuse private foundations for noncharitable purposes, to provide a more rational relationship between sanctions and improper acts, and to make it more practical to properly enforce the law, the Act generally prohibits self-dealing transactions and provides a variety and graduation of sanctions, as described below. This is based on the belief by the Congress that the highest fiduciary standards require complete elimination of all self-dealing rather than arm's-length standards." [Generally, General Explanation of the Tax Reform Act of 1969, *supra*, at pp. 30–31]

With the repeal of Secs. 681(b) and (c),[12] and the factor that none of the Chapter 42 taxes are applicable to unqualified charitable remainder trusts,[13] an unqualified charitable remainder trust is free of any federal tax limitations on self-dealing or similar noncharitable activities. Under prior law, Secs. 681(b) and (c) could be applied to the charitable income interest or charitable remainder interest regardless of the deductibility (or extent thereof) of the value of the property placed in trust representing the charitable interest. The limitations of these provisions dealt not only with application of Sec. 642(c) (charitable deductions of trusts) but could affect the deductibility of future contributions to the split interest trust by operation of Sec. 503(e).

If unqualified trusts are reformed to conform to the provision of Sec. 664 and Sec. 2055(e), such trusts become subject to the rules of Chapter 42 to the extent provided by Sec. 4947(a)(2). Assuming the basic purpose of Chapter 42 is to preserve and protect monies dedicated to public uses and prevent abuse of such funds, a bill which induces unqualified trusts to become subject to the rules of Chapter 42 will complement the legislative purposes for applying Chapter 42 to Sec. 664 trusts in the first place. The Government would be bringing into the regulatory scheme additional trusts which otherwise would have been free of any self-dealing, investment or similar limitations. This regulation or enforcement consideration should not be minimized in evaluating the total net effect of the transitional rule being suggested.

FOOTNOTES

[1] In most cases, loss of the estate tax charitable deduction means the tax is satisfied out of the property representing the principal of the trust destined eventually for charity.

[2] Under Sec. 201(g)(4)(A), Tax Reform Act of 1969, I.R.C. Sec. 2055(e) is effective, as to testamentary charitable transfers, for decedents dying after December 31, 1969.

[3] *Cf.* I.R.C. Sec. 2205 with McKinney's Cons. N.Y. Laws (Book 17B), Estates, Powers and Trust Law, § 2–1. 8. Annotated Code of Maryland, Art. 93 § 11–109 ("Uniform Estate Tax Apportionment Act").

[4] D.C. Code, Title 21, § 1801(d) (1972 Supp.); Annotated Code of Maryland, Art. 16, § 199D–1 (1972 Supp.); Ohio Code, §109.-232 (1972 Supp.). These statutes permit the trustee and all beneficiaries to agree, among themselves, to reform the instrument without resort to judicial proceeding in order to conform the instrument to the requirements of Sec. 664. Absent a legislative grant to perform the amendment or conformance rites, an action for reformation or, in probate parlance, "construction" is necessary to alter the testamentary disposition. *Cf. Estate of Pearlbrook*, CCH Private Foundation Reporter, ¶ 7310 (N.Y. Surrogates Ct., N.Y. County, August 7, 1972).

[5] For a recent study of policy considerations inherent in tax legislation, see Note, Setting Effective Dates for Tax Legislation: A Rule of Prospectivity, 84 *Harvard Law Review* 436 (1970).

[6] See generally, Prop. Regs. § 20.2055–2(e)(3) and (4), 37 F.R. 7895 (April 21, 1972).

[7] See, H. Rep. 92–610, 92d Cong., 1st Sess. (to accompany H.R. 11489) at p. 7.

[8] The reformation date of December 31, 1971 contained in Prop. Regs. § 1.664–1(g)(3), 36 F.R. 18671, was extended to June 30, 1972 by T.I.R. 1120 (December 17, 1971) and extended in the final regulations to December 31, 1972 in I.T. Regs. § 1.664–1(f)(3).

[9] Because of a public charity's interest in an estate, the Supreme Court, sometime ago, upheld the tax benefits which in reality flowed to a hospital despite a "technical formality" which the Government tried to use to disallow the deduction. *Lederer* v. *Stockton*, 260 U.S. 3, 8 (1922). Since then, it has been generally recognized that deduction provisions which create incentives to give to charity should not be narrowly construed because they are "liberalizations of the law in the taxpayer's favor, * * * begotten from motives of public policy * * *." *Helvering* v. *Bliss*, 293 U.S. 144, 151 (1934).

[10] Rev. Rul. 70–452, C.B. 1970–2, 199.

[11] I.R.C. Sec. 4947(a)(2). Prop. Regs. § 53.4947–1(c)(1)(ii), 36 F.R. 5240 (March 18, 1971).

[12] 101(j)(18) of the Tax Reform Act of 1969.

[13] I.R.C. Sec. 4947(a)(2)(B).

PRESIDENT NIXON SOFTENS A CRISIS

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, I call yesterday's editorial of the Miami Herald to the attention of my colleagues in the House.

I do so because it expresses concisely and clearly a sensible viewpoint on matters over which the entire Nation has been agonizing:

THE LAW IS NOT DEFIED—AND A CRISIS IS SOFTENED

"This President," said his counsel yesterday in open court, "does not defy the law." In that motion Mr. Nixon turned over The White House Tapes and apparently all other relevant Watergate documents to the federal court which had subpoenaed them.

The President's wise action came better late than never. Whether it will cure the counts against him in Congress, where the House Judiciary Committee had begun a study of whether he should be impeached, cannot be determined at once. And whether this capitulation will appease the American people who, as former Attorney General Elliot Richardson said yesterday, are his ultimate judges, is problematical.

Our feeling, however, is that a constitutional crisis has been avoided, at least for the moment. Indeed, it is a feeling of relief.

In the words of Chesterfield Smith, who urged the President to change his course, defiance of the U.S. Court of Appeals and of U.S. District Judge John Sirica constituted an "attack on the justice system and the rule of law as we have known it in this country."

Mr. Smith, of Lakeland, a distinguished member of the Florida Bar and president of the American Bar Association, must have spoken tellingly for many aggrieved Americans. His organization seldom wets its toes in the hot waters of public controversy. But such were the dimensions of the crisis.

More is the pity, of course, that the crisis ever had to be precipitated. It made a shambles of the Justice Department and it diverted the nation and the White House with it from the new suddenly menacing developments of the Middle East war.

There are still demands in Congress for impeachment, and we have said, Go slow. Watergate and this week's aftermath is only one matter. Mr. Richardson mentioned the "integrity" of the judicial system, and he might as well have alluded to integrity in the executive. Disclosures about election spending and allegations about funds for favors are other factors. From every sign the American people have lost confidence in the Nixon administration. If Mr. Nixon has broken no law, he is yet cast in the public eye as a malefactor of political power.

If there is to be action in Congress we recommend the course of the House Judiciary Committee which is beginning a sober and orderly study of whether the President has in fact done anything for which he should be impeached.

It is through its representatives elected at the shortest intervals and most often answerable to them that the people govern themselves. The public should await the outcome of that inquiry without emotion and with, we think, well-placed confidence. For this is not the time for the Republic to go off half-cocked.

METRIC CONVERSION BILL (H.R. 11035) CONTAINS SEVERAL DEFECTS

(Mr. McCLORY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCLORY. Mr. Speaker, it appears that the House Rules Committee will grant a rule within the next few days authorizing debate on the proposed metric conversion bill as reported by the House Committee on Science and Astronautics.

It is with some reluctance that I express dissatisfaction and disagreement with certain parts of this legislation. However, it is my feeling that the measure in its present form fails to fulfill the existing need for establishment of a mechanism for developing a coordinated national program for conversion to the metric system over a 10-year period.

Mr. Speaker, the title of the bill would seem to limit the measure to establishment of a national policy—instead of providing for a national program for conversion to the metric system of weights and measures. In addition, to require development of a comprehensive plan subject to later congressional or Presidential veto constitutes a built-in delay of at least 14 months before we can proceed to express a national commitment to convert to the metric system.

Mr. Speaker, many of my colleagues joined me in sponsoring a separate bill in the form of H.R. 19720. While I would prefer that measure as a substitute for the committee bill (H.R. 11035), I plan to limit my proposed changes to two amendments to H.R. 11035, which I will attach to these remarks for the further information of all of my colleagues.

Mr. Speaker, the first amendment will do nothing more than change the title of this bill to emphasize that we are indeed establishing "a program for the United States to convert to the international metric system."

Mr. Speaker, the second amendment would have the effect of making a national commitment now to convert to the metric system over a 10-year period, and would charge the Metric Conversion Board with carrying out a general conversion to metric measurements. The Board would be authorized to develop detailed plans and timetables and to generally guide the Nation in a coordinated, voluntary program in which every element of our society would participate.

Mr. Speaker, it is my understanding that none of the other nations which have engaged in a coordinated conversion to the international metric system has adopted the approach which is contained in the committee bill; namely, the development of a "comprehensive plan" subject to approval by the President and the Congress as well as the Department of Commerce. Indeed, it is my further understanding that the Canadian authorities encountered difficulties following their original decision to convert to the metric system—by authorizing the very kind of "comprehensive plan" which is required by the committee bill (H.R. 11035).

It is quite obvious that in developing a coordinated program of general conversion to the metric system of weights and measures, there must be separate and distinct plans which relate to the various segments of our society which are subject to the conversion program. The details, the timetables, and other subjects must undergo almost continual review and revision—particularly because of the voluntary and coordinated nature of the overall conversion program.

Mr. Speaker, with the benefit of the experience of many other nations, England, Australia, New Zealand, among others, for us to demand by legislation requirements which have been discredited in these other nations would appear on its face to be a grave mistake. This is the principal defect in the committee bill which my second amendment endeavors to correct.

Mr. Speaker, unless this second amendment is adopted, it cannot be said that the Congress is taking a decisive step to convert to the metric system. Instead, the bill as presented to the House contains built-in dangers which might delay indefinitely any such important step.

Mr. Speaker, it would be my hope that the Department of Commerce and the members of the Science and Astronautics Committee, as well as all of my colleagues in the House who are interested in providing a constructive and coordinated program of conversion to the international metric system, would join in supporting these two vital amendments.

Mr. Speaker, the two proposed amendments follow:

AMENDMENT NO. 1 TO H.R. 11035, AS REPORTED OFFERED BY MR. M'CLORY

The title is amended to read as follows: "A bill to establish a program for the United States to convert to the international metric system."

AMENDMENT NO. 2 TO H.R. 11035 REPORTED BY MR. M'CLORY

Strike out all of Sections 9, 10, and 11 (beginning on line 14 of page 6 and ending on line 21 of page 11) and by renumbering the remaining sections of the bill accordingly, and inserting in lieu thereof, the following:

The Board is charged with the responsibility of implementing, with the voluntary participation of every interested sector and group in the United States, the recommendations of the United States metric study, undertaken pursuant to the Act approved August 9, 1968, including—

(1) that the United States change to the

international metric system deliberately and carefully;

(2) that this be done through a coordinated national program;

(3) that detailed plans and timetables be worked out, within the guiding framework established and from time to time revised by the Board, by the various sectors and interests of the society themselves;

(4) that priority be given to educational programs to be carried out in the Nation's elementary and secondary schools and institutions of higher learning, as well as with the public at large, which shall be designed to enable all Americans to think and work in metric terms and which shall include—

(A) public information programs conducted by the Board through the use of newspapers, magazines, radio, television, other media, and through talks before appropriate citizen groups and public and private organizations;

(B) counseling and consultation by the Board, in cooperation with the Secretary of Health, Education, and Welfare and the Director of the National Science Foundation, with educational associations and groups so as to assure that the international metric system is made a part of the curriculums of the Nation's educational institutions and that teachers and other appropriate personnel are properly trained to teach the international metric system; and

(C) consultation by the Board with appropriate State and local weights and measures officials to assure that such officials are informed of steps being taken to convert to the international metric system;

(5) that the appropriate representatives of American enterprise participate in international standards activities;

(6) that in order to encourage efficiency and minimize the overall costs to society, the general rule should be that any changeover costs shall lie where they fall;

(7) that the Board establish such committees and advisory panels as it deems necessary to work with the various sectors of the American economy and governmental agencies in the implementation of the international metric system; and

(8) that the target date for conversion shall be January 1, 1985 after which date the nation shall be predominantly, although not exclusively, metric.

(9) that the Board shall cease to exist after the target date.

SPECIAL PROSECUTOR AND GRAND JURY HEARINGS

(Mr. HUNGATE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HUNGATE. Mr. Speaker, yesterday the chairman of the Committee on the Judiciary announced that the Subcommittee on Criminal Justice has been assigned various legislative proposals dealing with the establishment of an independent special prosecutor and legislative proposals to extend the life of the grand jury in the District of Columbia which is now considering various Watergate and Watergate-related matters.

At a subcommittee meeting today, it was decided that, because of the urgency and importance of these issues, hearings will begin on Monday, October 29, at 10 a.m., in room 2141, Rayburn House Office Building. They will continue on Wednesday, October 31; Thursday, November 1; and, if necessary, on into the following week.

Persons and organizations wishing to make their views known to the subcommittee should promptly contact counsel, Subcommittee on Criminal Justice, House Committee on the Judiciary, room 2137, Rayburn House Office Building, Washington, D.C., 20515—telephone number 202–225–0406.

The subcommittee has decided to proceed first on that phase of the legislation which would extend the grand jury's term, and expects to complete action on it on October 29, 1973.

On October 31, the subcommittee will turn its particular attention to legislative proposals for the appointment of a special prosecutor.

MAJORITY LEADER THOMAS P. O'NEILL, JR., SAYS THAT DESPITE THE PRESIDENTIAL CRISIS, THE OLD ECONOMIC CRISIS REMAINS

(Mr. O'NEILL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. O'NEILL. Mr. Speaker, since last weekend, the Nation's attention has been riveted on the crisis precipitated by President Nixon's firing of the special prosecutor, Archibald Cox.

There has almost been a tendency to forget such common, everyday crises as the price of food, the cost of living generally, and the prospects for employment.

Yesterday, Herbert Stein, Chairman of the Council of Economic Advisers, brought these matters to the Nation's attention once again. In a press conference, Mr. Stein said the Nation could expect an increase in unemployment in 1974. He suggested that credit will remain tight. And he could not say exactly when the price spiral might start to slow down.

For the housewife, and for all of us, that means continued high food prices. On that score, Mr. Stein retreated to a familiar administration refrain: Things are getting worse, but at a slower rate.

He said food prices would continue to go up during the next few months but, by later next year, food prices would no longer be a major concern of the housewife.

Well, Mr. Speaker, that is wonderful news—for next year. But the housewife and her family and all of us have to eat today and tomorrow and every day while we are waiting for the moderately rosy future predicted by Mr. Stein.

Despite the Watergate tapes mess in which the President has entangled himself—despite the international crises that we are confronting, the old problems still remain. The American people still suffer from the neglect, ineptitude, and negative economic policies perpetrated by this administration since it took office.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BURTON (at the request of Mr. O'NEILL), for today, on account of death in family.

Mr. BRASCO (at the request of Mr. O'NEILL), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SARASIN) to revise and extend their remarks and include extraneous material:)

Mr. HANRAHAN, for 5 minutes, today.

Mr. MARAZITI, for 7 minutes, today.

Mr. KEMP, for 15 minutes, today.

Mr. WILLIAMS, for 15 minutes, today.

Mr. WALSH, for 15 minutes, today.

(The following Members (at the request of Mr. SARASIN) and to revise and extend their remarks and include extraneous matter:)

Mr. ANDREWS of North Dakota, for 30 minutes, today.

(The following Members (at the request of Mr. ANDREWS of North Carolina) to revise and extend their remarks and include extraneous matter:)

Mr. MCSPADDEN, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. REUSS, for 60 minutes, today.

Mr. DIGGS, for 5 minutes, today.

Mr. THOMPSON of New Jersey, for 5 minutes, today.

Mr. VANIK, for 5 minutes, today, to revise and extend his remarks and include extraneous material.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DONOHUE, immediately following the prayer.

(The following Members (at the request of Mr. SARASIN) and to include extraneous material:)

Mr. PEYSER in two instances.

Mr. YOUNG of South Carolina.

Mr. ESCH.

Mr. STEIGER of Wisconsin in four instances.

Mr. GILMAN.

Mr. SPENCE in two instances.

Mr. SEBELIUS.

Mr. DAVIS of Wisconsin.

Mr. WALSH.

Mr. ASHBROOK in two instances.

Mr. LENT in three instances.

Mr. KEMP in two instances.

Mrs. HOLT in two instances.

Mr. HOSMER in three instances.

Mr. TREEN.

Mr. SYMMS.

(The following Members (at the request of Mr. ANDREWS of North Carolina) and to include extraneous matter:)

Mr. YOUNG of Georgia in six instances.

Mr. BADILLO in two instances.

Mr. HAMILTON in 10 instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. ASHLEY.

Mr. KLUCZYNSKI.

Mr. ROONEY of New York in two instances.

Mr. VANIK in two instances.

Mr. DELLUMS in five instances.

Mr. MCCORMACK.

Mr. HARRINGTON in four instances.

Mr. JONES of Tennessee in six instances.

Mr. PICKLE.

Mr. MELCHER.
Mr. ANDREWS of North Carolina.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 9639. An act to amend the National School Lunch and Child Nutrition Acts for the purpose of providing additional Federal financial assistance to the school lunch and school breakfast programs.

ADJOURNMENT

Mr. ANDREWS of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 13 minutes p.m.), under its previous order, the House adjourned until Monday, October 29, 1973, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1481. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report of receipts and disbursements pertaining to the disposal of surplus military supplies, equipment, and material, and for expenses involving the production of lumber and timber products, covering the fourth quarter of fiscal year 1973, pursuant to section 712 of Public Law 92–570; to the Committee on Appropriations.

1482. A letter from the Assistant Secretary of the Interior, transmitting a report on a major change being proposed in the plan for the Seedskadee project, Colorado River storage project, Wyoming; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ULLMAN: Committee on Ways and Means. H.R. 11104. A bill to provide for a temporary increase of $13 billion in the public debt limit and to extend the period to which this temporary limit applies to June 30, 1974 (Rept. No. 93–609). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ULLMAN (for himself and Mr. SCHNEEBELI):

H.R. 11104. A bill to provide for a temporary increase of $13 billion in the public debt limit and to extend the period to which this temporary limit applies to June 30, 1974; to the Committee on Ways and Means.

By Mr. BRADEMAS (for himself, Mr. PEPPER, Mr. ESHLEMAN, Mr. PERKINS, Mr. BELL, Mr. THOMPSON of New Jersey, Mr. DELLENBACK, Mr. DENT, Mr. ESCH, Mr. DOMINICK V. DANIELS, Mr. O'HARA, Mr. HANSEN of Idaho, Mr. HAWKINS, Mr. PEYSER, Mr. WILLIAM D. FORD, Mr. SARASIN, Mrs. MINK, Mr. MEEDS, Mr. BURTON, Mr. GAYDOS, Mrs. CHISHOLM, Mr. BIAGGI, Mrs. GRASSO, Mr. MAZZOLI, Mr. BADILLO, and Mr. LEHMAN):

H.R. 11105. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. BROWN of California:

H.R. 11106. A bill to amend the Internal Revenue Code of 1954 to provide that advertising of alcoholic beverages is not a deductible expense; to the Committee on Ways and Means.

By Mr. CORMAN (for himself, Mr. PETTIS, and Mr. MAILLIARD):

H.R. 11107. A bill to amend the Philippine Trade Act of 1946 in order to remove the quota on Philippine cordage at the close of calendar year 1973; to the Committee on Ways and Means.

By Mr. DIGGS (for himself, Mr. NELSEN, Mr. STUCKEY, Mr. DELLUMS, Mr. REES, Mr. FAUNTROY, Mr. HOWARD, Mr. RANGEL, Mr. BRECKINRIDGE, Mr. STARK, Mr. BROYHILL of Virginia, Mr. GUDE, Mr. LANDGREBE, and Mr. MCKINNEY):

H.R. 11108. A bill to extend for 3 years the District of Columbia Medical and Dental Manpower Act of 1970; to the Committee on the District of Columbia.

By Mr. DULSKI:

H.R. 11109. A bill to name the Federal Office Building in Buffalo, N.Y., the "Robert F. Kennedy Federal Office Building"; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 11110. A bill to incorporate World War I Overseas Flyers, Inc.; to the Committee on the Judiciary.

By Mr. HANRAHAN:

H.R. 11111. A bill to provide that daylight saving time shall be observed on a year-round basis; to the Committee on Interstate and Foreign Commerce.

By Mr. HANSEN of Idaho:

H.R. 11112. A bill to amend the Federal Metal and Nonmetallic Mine Safety Act of 1966 (80 Stat. 772); to the Committee on Education and Labor.

By Mr. HÉBERT (for himself and Mr. BRAY) (by request):

H.R. 11113. A bill to amend title 10, United States Code, to authorize the selective continuation of certain regular commissioned officers on the active lists of the Army, Navy, Marine Corps, and Air Force upon recommendation of a selection board, and for other purposes; to the Committee on Armed Services.

By Mr. KUYKENDALL:

H.R. 11114. A bill to authorize financial assistance for opportunities industrialization centers; to the Committee on Education and Labor.

By Mr. MATHIS of Georgia:

H.R. 11115. A bill to amend the Truth in Lending Act to exempt from coverage under the act credit transactions involving extensions of credit for agricultural purposes; to the Committee on Banking and Currency.

H.R. 11116. A bill to amend the Economic Stabilization Act of 1970 to exempt stabilization of the price of fertilizer from its provisions; to the Committee on Banking and Currency.

H.R. 11117. A bill to provide financial assistance for a demonstration program for the prevention, identification, and treatment of child abuse and neglect, to establish a National Center on Child Abuse and Neglect, and for other purposes; to the Committee on Education and Labor.

H.R. 11118. A bill to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments for 4 additional years, and for other purposes; to the Committee on Public Works.

By Mr. MITCHELL of Maryland (for himself, Mr. HAWKINS, Mr. MOAKLEY, Mr. WAMPLER, Mr. CONYERS, Mr. HARRINGTON, Mrs. CHISHOLM, Mr. DELLUMS, Mr. MAZZOLI, Miss JORDAN, and Mrs. SCHROEDER):

H.R. 11119. A bill to establish the Federal Protective Service Police force within the General Services Administration, provide minimum training, pay, and other benefits for such police force, and for other purposes; to the Committee on Public Works.

By Mr. MIZELL:

H.R. 11120. A bill to amend the Wild and Scenic Rivers Act of 1968 by designating a segment of the New River as potential component of the National Wild and Scenic Rivers System; to the Committee on Interior and Insular Affairs.

By Mr. PATTEN:

H.R. 11121. A bill to assure opportunities for employment and training to unemployed and underemployed persons; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Ms. ABZUG, Mr. ADDABBO, Mr. ANDERSON of California, Mr. BAKER, Mr. BERGLAND, Mr. BIESTER, Mr. BINGHAM, Mr. BLATNIK, Mr. BOLAND, Mr. BRASCO, Mr. BRECKINRIDGE, Mr. BROWN of California, Mr. BURKE of Florida, Mr. BURKE of Massachusetts, Mr. CARNEY of Ohio, Mrs. COLLINS of Illinois, Mr. COUGHLIN, Mr. CRONIN, Mr. CULVER, Mr. DELLUMS, Mr. DINGELL, Mr. DRINAN, Mr. DULSKI, and Mr. DUNCAN):

H.R. 11122. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Mr. ECKHARDT, Mr. EDWARDS of California, Mr. EILBERG, Mr. FISH, Mr. FLOOD, Mr. WILLIAM D. FORD, Mr. FRASER, Mr. GONZALEZ, Mr. GRAY, Mr. GREEN of Pennsylvania, Mr. GUDE, Mr. GUNTER, Mr. GUYER, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HICKS, Ms. HOLTZMAN, Mr. HORTON, Mr. HOWARD, Mr. JOHNSON of Pennsylvania, Mr. JOHNSON of California, Mr. KOCH, and Mr. KYROS):

H.R. 11123. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Mr. LONG of Maryland, Mr. MCCORMACK, Mr. MCDADE, Mr. MADIGAN, Mr. MATSUNAGA, Mr. MAYNE, Mr. METCALFE, Mr. MITCHELL of Maryland, Mr. MITCHELL of New York, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. MOORHEAD of Pennsylvania, Mr. MORGAN, Mr. MOSS, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NIX, Mr. OBEY, Mr. PATTEN, Mr. PODELL, Mr. RANDALL, Mr. RANGEL, Mr. REES, and Mr. REID):

H.R. 11124. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Mr. RIEGLE, Mr. RODINO, Mr. ROE, Mr. ROONEY of Pennsylvania, Mr. ROSE, Mr. ROSENTHAL, Mr. ROSTENKOWSKI, Mr. ROYBAL, Mr. RUPPE, Mr. RYAN,

Mr. ST GERMAIN, Mr. SARBANES, Mrs. SCHROEDER, Mr. SEIBERLING, Mr. SLACK, Mr. JAMES V. STANTON, Mr. STARK, Mr. STOKES, Mr. STUDDS, Mr. THOMPSON of New Jersey, Mr. THONE, Mr. TIERNAN, Mr. WALDIE, and Mr. WALSH):

H.R. 11125. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Mr. WHITEHURST, Mr. BOB WILSON, Mr. CHARLES WILSON of Texas, Mr. CHARLES H. WILSON of California, Mr. WOLFF, Mr. WON PAT, Mr. WYDLER, and Mr. YATRON):

H.R. 11126. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 11127. A bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the authority of the Secretary of Health, Education, and Welfare with respect to foods for special dietary use; to the Committee on Interstate and Foreign Commerce.

H.R. 11128. A bill to amend title 28, United States Code, to provide more effectively for bilingual proceedings in certain district courts of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. ROE:

H.R. 11129. A bill to amend the Internal Revenue Code of 1954 to provide an additional personal exemption of $750 for certain volunteer firemen; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania (for himself, Mr. PODELL, Mr. HELSTOSKI, Mr. NIX, Mr. STOKES, Mr. RIEGLE, Mr. WON PAT, Mr. MURPHY of New York, Mr. CARNEY of Ohio, Mr. RANGEL, Mr. DE LUGO, Mrs. BURKE of California, Mrs. CHISHOLM, Mr. YOUNG of Georgia, and Mr. HARRINGTON):

H.R. 11130. A bill to create a National Landlord and Tenant Commission, to establish housing courts, and to define or to provide therefor the rights, obligations, and liabilities of landlords and tenants so as to regulate the activities of the commercial rental housing operations which affect the stability of the economy, the amount of person's real income, the travel of goods and people in commerce, and the general welfare of all citizens of this Nation; to the Committee on the Judiciary.

By Mr. SKUBITZ (for himself and Mr. SEBELIUS):

H.R. 11131. A bill to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Elkhart, Kans., for airport purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of North Carolina:

H.R. 11132. A bill to provide for the appointment of a Special Prosecutor by Judge John J. Sirica of the U.S. District Court for the District of Columbia, to investigate and prosecute any offense with respect to the election in 1972 for the Office of President; to the Committee on the Judiciary.

By Mr. SMITH of Iowa (for himself, Mr. CULVER, Mr. MEZVINSKY, Mr. GROSS, Mr. MAYNE, Mr. SCHERLE, and Mr. KARTH):

H.R. 11133. A bill to authorize the Secretary of Transportation to provide mass transportation assistance essential for the movement of basic commodities and energy resources to and from production areas and major distribution and processing centers; to the Committee on Interstate and Foreign Commerce.

By Mr. WALSH:

H.R. 11134. A bill to amend chapter 34 of title 38, United States Code, to authorize additional payments to eligible veterans to partially defray the cost of tuition; to the Committee on Veterans' Affairs.

By Mr. WHALEN:

H.R. 11135. A bill to provide for the appointment of an independent Special Prosecutor to prosecute certain investigations into criminal activities; to the Committee on the Judiciary.

By Mr. CULVER (for himself, Mrs. BURKE of California, Mr. DOMINICK V. DANIELS, Mr. EILBERG, Mr. GUDE, Mr. DIGGS, Mr. KYROS, Mr. MCCLOSKEY, Mr. LEHMAN, Mr. PREYER, Mr. RANGEL, Mr. PETTIS, Mr. RIEGLE, Mr. STUDDS, Mr. NIX, Mr. PATTEN, Mr. HANNA, Mr. VIGORITO, Mr. CHARLES WILSON of Texas, and Mr. YATRON):

H.J. Res. 794. Joint resolution to provide for the appointment of a Special Prosecutor, and for other purposes; to the Committee on the Judiciary.

By Mr. McDADE:

H.J. Res. 795. Joint resolution asking the President of the United States to declare Sunday, November 25, 1973, "MIA Awareness Day" to pay tribute to members of the Armed Forces who are missing in action in Indochina; to the Committee on the Judiciary.

By Mr. MATSUNAGA (for himself, Mr. ADAMS, Mr. ANDERSON of California, Mr. BEVILL, Mr. BROWN of California, Mr. DANIELSON, Mr. DELLUMS, Mr. DENHOLM, Mr. EDWARDS of California, Mr. FASCELL, Mr. FLOOD, Mr. KETCHUM, Mr. MATHIS of Georgia, Mr. MCCLOSKEY, Mr. MEEDS, Mr. MELCHER, Mr. MONTGOMERY, Mr. MORGAN, and Mr. Moss):

H.J. Res. 796. Joint resolution to set aside regulations of the Environmental Protection Agency under section 206 of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. MATSUNAGA (for himself, Mr. NICHOLS, Mr. OWENS, Mr. PEPPER, Mr. PICKLE, Mr. ROYBAL, Mr. SAYLOR, Mr. SEIBERLING, Mr. STARK, Mr. TEAGUE of California, Mr. THONE, Mr. TOWELL of Nevada, Mr. VANIK, Mr. VIGORITO, Mr. WHITEHURST, Mr. CHARLES H. WILSON of California, and Mr. YATRON):

H.J. Res. 797. Joint resolution to set aside regulations of the Environmental Protection Agency under section 206 of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. THOMSON of Wisconsin:

H.J. Res. 798. Joint resolution designation of the second full week of October of each year as "University Extension Homemaker Week"; to the Committee on the Judiciary.

By Mr. LONG of Maryland (for himself, Mr. BURTON, Mr. MURPHY of New York, Mr. FASCELL, Mr. HILLIS, Mr. LEGGETT, and Mr. PATTEN):

H. Con. Res. 367. Concurrent resolution expressing the sense of the Congress with respect to possible curtailment of oil supplies from Arab producers; to the Committee on Ways and Means.

By Mr. PEPPER (for himself, Mr. ANDREWS of North Carolina, Mr. BADILLO, Mr. BEVILL, Mr. GUNTER, Mr. HANLEY, Mr. MURPHY of Illinois, Mr. RANGEL, Mr. REUSS, Mr. ROSENTHAL, Mr. STARK, Mr. STOKES, and Mr. WON PAT):

H. Con. Res. 368. Concurrent resolution expressing the sense of the Congress that the President should reappoint Archibald Cox as Special Prosecutor and renominate Elliot Richardson as Attorney General, and renominate William Ruckelshaus as Deputy Attorney General; to the Committee on the Judiciary.

By Mr. RODINO:

H. Con. Res. 369. Concurrent resolution to print as a House document, House Committee Print on Impeachment, Selected Materials; to the Committee on House Administration.

By Mr. COHEN (for himself, Mr. ANDERSON of Illinois, Mr. ROBISON of New York, Mr. PRITCHARD, and Mr. SARASIN):

H. Res. 658. Resolution expressing the sense of the House that the Office of the Special Prosecutor be reestablished; to the Committee on the Judiciary.

By Mr. McDADE:

H. Res. 659. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. BEARD, Mr. DUNCAN, Mr. DU PONT, Mr. FULTON, Mr. LUJAN, Mr. MILFORD, Mr. MITCHELL of Maryland, Mr. TOWELL of Nevada, and Mr. WRIGHT):

H. Res. 660. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. RIEGLE:

H. Res. 661. Resolution for the impeachment of Richard M. Nixon; to the Committee on the Judiciary.

By Mr. ROYBAL:

H. Res. 662. Resolution impeaching Richard M. Nixon, President of the United States, of high crimes and misdemeanors; to the Committee on the Judiciary.

H. Res. 663. Resolution directing the Committee on the Judiciary to inquire into and investigate whether grounds exist for the impeachment of Richard M. Nixon; to the Committee on Rules.

By Mr. SCHERLE:

H. Res. 664. Resolution expressing the sense of the House that U.S. combat troops not be introduced in the Middle East conflict without prior congressional authorization; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey (for himself, Mr. ADDABBO, Mr. BLATNIK, Mr. CORMAN, Mr. GAYDOS, Mrs. BURKE of California, Mr. CARNEY of Ohio, Mr. STOKES, Mr. LEHMAN, Mr. KOCH, Mr. LONG of Maryland, Mr. ROSENTHAL, Mr. ROY, Mr. CHARLES H. WILSON of California, Mr. ST GERMAIN, and Mr. HECHLER of West Virginia):

H. Res. 665. Resolution directing the Committee on the Judiciary to inquire into and investigate whether grounds exist for the impeachment of Richard M. Nixon; to the Committee on Rules.

By Mr. WALDIE (for himself and Mr. STOKES):

H. Res. 666. Resolution for the impeachment of the President of the United States; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

322. The SPEAKER presented a memorial of the Legislature of the State of Wisconsin, relative to Federal highway trust funds; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

By Mr. HUNT:

H.R. 11136. A bill for the relief of Brandywine-Main Line Radio, Inc., WXUR and WXUR-FM, Media, Pa.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

332. By the SPEAKER: Petition of the city council, Miami Beach, Fla., relative to national unity on the Middle East conflict; to the Committee on Foreign Affairs.

333. Also, petition of the city council, Binghampton, N.Y., relative to daylight saving time; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

THE DEDICATION OF THE MEDICAL COLLEGE OF OHIO

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. ASHLEY. Mr. Speaker, on Friday, October 12, our distinguished colleague and close friend from my own great State of Ohio, Congressman CHARLES MOSHER, was the principal speaker at the banquet, during the dedication of the first building on the permanent campus of the new Medical College of Ohio in Toledo, in my congressional district. His address was entitled "Declaration of Interdependence: Scientists, Students, Professors, Politicians—We Need Each Other!"

As the ranking minority member of the House Science and Astronautics Committee, and as a recognized authority in the vital, complex field of public policy formation for science and technology, CHARLES MOSHER was well equipped to offer stimulating and insightful remarks to those assembled, and he did not let them down.

As the Toledo Blade commented in an editorial a few days later—

Mr. Mosher, a living example of enlightened statesmanship, spelled out articulately and eloquently the need for closer ties between the Medical College of Ohio and area universities, and between the medical community and the government. His appeal for more extensive training of doctors so that they are better acquainted with the processes of government—particularly those involving decisions of funding medical science—was especially well taken.

I believe that the full text of CHUCK MOSHER's speech in Toledo deserves and demands special attention, and so I include it here for the Members:

DECLARATION OF INTERDEPENDENCE: SCIENTISTS, STUDENTS, PROFESSORS, POLITICIANS—WE NEED EACH OTHER!

I do feel very privileged to participate in this happy occasion this very significant, important celebration.

It happens that back in the 1950's I was a very active member of the Ohio Senate, in Columbus, as Chairman of the Senate Committee on Education and Health. And I remember well our early discussions, out of which finally developed (was it in 1964?) the Ohio General Assembly's decision to charter a new, state supported medical college here at Toledo.

So, it is with considerable personal satisfaction that I participate in this celebration of very impressive, tangible evidence that medical education and the medical sciences are indeed now in being, are alive and well, a dynamic force in this community.

My satisfaction in witnessing this accomplishment . . . my enthusiastic congratulations to all who have been most responsible for it, for this superb new Life Sciences Building . . . are rooted in an acute awareness of the difficult decision-making process required to bring this school to fruition, and also of the often agonizing decisions which constantly will burden all who are responsible for charting its future.

I emphasize that the first crucial decisions, the birth pains for the Medical College at Toledo, were political decisions, voting decisions in the state legislature. By the time your charter finally was voted, I was long since gone from Columbus to Washington. I cannot claim any personal credit for it; but from long legislative experience I am intimately aware of how complex that political process is, at best. So, to all of you, I urge your very realistic awareness . . . indeed, I *warn* you . . . that the future of this college, its vigor and quality and usefulness, will continue to depend in large part on policy decisions voted in both Columbus and Washington.

I strongly suggest that you who are most aware of and concerned for medical education, for medical research, for higher education in general (the realities, the needs and problems, the vast opportunities) . . . I suggest it is imperative that you take a most aggressively active, personal role in our political process. We legislators truly need your help as we struggle to process and vote wise and effective decisions. We politicians live a very kaleidoscopic, fragmented life, buffeted constantly by every conceivable interest. Often, it is extremely difficult to give any major problem . . . such as medical education . . . the concerted attention it may deserve. Each of us may become quite knowledgeable in some policy area related to our committee assignment. But in general it is true that we must rely on strong staff support and on the advice of presumed "experts". Most of us need and welcome the information, advice and criticism we receive from informed and concerned citizens and, certainly, concerning health policy decisions, or medical education and medical science decisions, we surely need (and I urgenly solicit) the assistance of many of you who are here this evening.

I implore you to communicate with your state legislators in Columbus and with your representatives and Senators in Washington, more frequently and more effectively. I repeat, we truly *need* your help!

I further suggest it might be appropriate now for medical colleges to begin to make an overt effort, as part of the curriculum, to "educate" future physicians concerning the rationale and processes of government, especially the formulating of public policy decisions which impact on the life sciences and the delivery of health services.

Only 25 years ago, I am told, about 31 percent of all medical research in the United States was funded by the federal government. By 1972, last year, that proportion had leaped to 63.7 percent. I'm guessing that long before the year 2000, at least 90 percent of policy for the funding of the life sciences will be by government decisions.

Thus, it is clear that all aspects of health services increasingly will be subject to social pressures, to legislative decisions. Hopefully these will be carefully and wisely considered, but sometimes, inevitably, by popular whim. It is my observation that doctors in general know little about the whys and hows of such decisionmaking. I submit it is imperative they learn.

Now, I assume that the legislative decision in Columbus by which the Medical College at Toledo was charted, resulted from a conviction that Ohio was training too few doctors. There was public discussion, some expert evidence, strong and increasing popular pressures, vigorous competition among several metropolitan areas where a new medical college might be located, and then the struggle to get funds appropriated . . . these essentially political pressures brought this school into being, the politically perceived need for Ohio to train more physicians.

(And, as a footnote, let me assure you that I use such phrases as "political process" or "political decision" only in their favorable sense, I use them with respect and devotion, despite my painful awareness of the faults, distortions, scandals that so weaken our political system.)

Essentially those same political pressures . . . the popular alarm because there are too few doctors, the skyrocketing costs for health care, the inequitable distribution of medical services, and unequal ability to pay for those services, especially as related to a growing popular belief that good health and good health care should be birthrights for all Aemricans rather than the privilege of a wealthy few . . . those same political pressures inevitably will produce from the Congress (perhaps as soon as 1974) some form of National Health Insurance Program for federally sponsored medical services available to all of us.

Nobody can say at this point what the details of that national program will be. A wide range of plans are being discussed. But I believe I am accurate in reporting that there does prevail among congressmen an uneasy belief that the success of *any* form of national health services program will require, first of all, a major increase in trained manpower . . . more physicians, more nurses perhaps, and probably a great many more paramedical technicians and assistants.

So, from the Ohio General Assembly in Columbus, and it is strongly echoed from Washington, there is a very forceful mandate on the Medical College at Toledo to produce more physicians. That is why this school exists, that is why we are dedicating a great new Health Sciences Building.

But what kind, what quality of physicians should Toledo produce, and what shall be the training emphasis here? I suspect neither Columbus or Washington is yet giving you any precise mandate as to your professional product, other than just the popular demand for more and more.

And certainly I don't have the credentials to offer expert judgments in attempting to answer those crucial questions: What kind of physicians shall we produce, and how shall we do it?

But I *do* have my own personal prejudices and hopes in that regard. As with paintings, I don't know much about art, but I know what I like. And so, just to be provocative, I will describe in quick, broad terms the physicians I hope the Medical College at Toledo will graduate.

First, I hope you will NOT attract nor train men and women who look upon their MD degree and license to practice as primarily sure tickets to personal wealth. I do not resent in anyone the accumulation of a modest fortune, if it is well earned in some useful, productive and creative, legitimate way; but I would resent it very much if this medical college became largely a trade school, producing mostly clever, glib, efficient, bedside-manner physicians intent on the business of making a profit. Personally, I am very pleased by recent reports that today's medical stu-

dents are more socially concerned and service minded, men and women of sharpened conscience.

It is difficult to teach such qualities as humane compassion, sensitivity, moral wisdom, intellectual curiosity, creative imagination, scholarliness, sense of humor, humility and persistent, lifelong passion to learn . . . but I do believe you can, and you must, encourage those qualities in your students and in the physicians you graduate.

Especially, apropos this new Health Sciences Building which we now celebrate, I hope Toledo will produce physicians who by training and habit will be throughout their professional careers effective problem solvers, rather than mere routine prescribers or manipulators.

As I see it, the tremendous importance of involving a medical student in laboratory science, is to acquaint him (or her) with, and encourage a thorough understanding and appreciation of the scientific attitudes and methods, hopefully to excite a lifelong professional interest in, and by habit an intellectual bent toward the search for new knowledge and better understanding, so that his medical practice shall be always a continuing extension of his medical education.

I hope there will be here a very aggressive effort to involve medical students in the research of the scientists who shall be the primary users of these laboratories; but I suggest also the increasing involvement of undergraduates, of pre-med students from the neighboring universities of Toledo and Bowling Green. And most certainly, your clinical teaching faculty should have access to these laboratories and should be encouraged to become actively involved in good research.

My reference to the University of Toledo and to Bowling Green State University indicates a strong hope that this medical college will increasingly, intimately interrelate with those two universities. Frankly, I doubt the wisdom of any professional school isolated from a university atmosphere, and I assume this is not. It is of the very essence of a university that all its various elements shall be interacting, interdependent, mutually stimulating and mutually nourishing; and a medical college surely needs to be part of such a university community . . . especially so if, as many experts are saying, there needs to be a strong introduction to the biomedical sciences for undergraduate students, well before they enter a medical college.

Anticipating this evening, some weeks ago, I asked a friend, Dr. Frank Huddle, senior specialist for science and technology in the Library of Congress Research Service, for advice on what I should say here. And, because he is a sometime philosopher and classicist, I was not surprised when he urged me to take as my inspiration for these remarks several excerpts from *New Atlantis*, written by Sir Francis Bacon very early in the 17th Century. Some of you may remember that Bacon describes there an imaginary foundation for education and science which he calls "Salomon's House" and for its purpose he says:

"The end of our foundation is the knowledge of causes, and secret motions of things; and the enlarging of the bounds of human empire, to the effecting of all things possible."

And in later passages, Bacon describes how that foundation will send into all parts of the universe "merchants of light" who shall gather in "all the books and abstracts, and patterns of experiments of all other parts", while others will try new experiments, others will analyze and interpret . . . and then most significantly Bacon tells his plans for activities which we today often label "technology transfer", the broad and usefully effective spreading and application of new knowledge.

Frank Huddle told me that Bacon's concept of Salomon's House in *New Atlantis* created a great stir in intellectual circles of that day and was immediately responsible for the founding of The Royal Society, now long since a most distinguished and famous British institution.

He also said, "Tell them in Toledo, it is imperative that scientists, students, teachers and physicians be Baconians, rather than Cartesians." And when I raised my questioning eyebrow, he went on to explain that the Cartesian ideal is for great minds (or talented scientists, I suppose) to work alone, in isolation and secrecy, whereas Baconians (as described in *New Atlantis*) are greater team players, working together in the gathering, sharing, critical analysis, spreading and application of a broad spectrum of new knowledge.

So, that Salomon's House ideal is exactly the burden of these remarks tonight, my enthusiastic hope and expectation that the dedication of this Health Sciences Building, symbolizes a genuine, firm commitment to the philosophy that graduates of the Medical College at Toledo shall be trained to work together in the ways of science . . . to have a persistent thirst for new knowledge, and better understanding and to make careful, methodical, critical distinctions and interpretations.

Despite all the glittery, sophisticated achievements of medical science in recent years, despite all the prophesies and promises of near magical technologies and miracle medicines, expectations of an end to disease and longer life for everybody . . . despite all this rhetoric which has raised the pressures of popular expectation and impatient demand to a probably impossible level . . . I am increasingly convinced that today's physicians and medical scientists, in relative terms (relative to 50 or 100 years from now), really don't begin to know enough, are really not adequate to the demands upon them. I am convinced we have only begun to learn the what and the how at least of the future of the medical profession.

But I very quickly and readily admit that also is even more true of my own political profession. And, incidentally, I am sure that students of government (or of political science if you accept that term) often would benefit greatly by more exposure to and understanding of the hard sciences, the disciplines of the laboratories.

Scientists hypothesize and experiment. Physicians practice. And the political decision making process now is largely by mere trial and error. But note that in all of these professions . . . in hypothesizing, experimenting, practicing, and process by trial and error . . . in each of these exercises there is inherent the basic assumption that the truth is very tentative, almost certain to change, surely in need of perfecting. Note that all of us . . . scientists, professors, physicians, legislators . . . enjoy considerable status as professionals; but I submit that anyone who professes, no matter what, should always be accepted with a grain of salt, with fingers crossed, with skepticism . . . and it is imperative that every professional be challenged and insistently challenged again, so that he (or she) shall be kept humble and forced to rethink, and to learn more.

Thus, you can see that my own view of what today's education for tomorrow's medical practitioners should be, obviously is still rooted in the then very revolutionary recommendations of the famed Flexner report in 1910. After more than 60 years, Flexner still has a lot of validity. Some impatient critics are demanding that we should speed medical education by diluting it with short cuts; but I am very skeptical of any such urgings. Again, I protest against any willingness to turn medical schools into mere trade schools. I urge that university officials resist strongly any popular or governmental or financial pressures which might now stampede them into unwise, retrogressive expedients. Hopefully, I interpret this dedication of your new science building as Toledo's dedication to maintaining *quality* and *progress* in medical education.

But at the same time, I fully recognize and insist on the necessity for change, change that improves and makes progress. Goals and priorities inevitably must change, to meet the needs of our changing way of life; of society's new demands. America today is profoundly different from the America of 1910, the year of the Flexner Report, recognized as a great turning point in the history of medical education. But I submit that we almost constantly are passing through possible turning points, through crossroads in policy making. Public policy is never fixed, it is dynamic, constantly wracked by the stresses and strains of new and changing people pressures; and in our increasingly intricate, interdependent society, certainly the goals, priorities and methods of medical education and medical science constantly will feel those stresses and strains.

If the future of medical education and medical science today seems to be extraordinarily uncertain, hanging in the balance, I suggest that is only part of the painfully apparent fact that *all* of our national policy directions are extremely uncertain right now. The future directions and levels in medical schools and in the health sciences will depend on decisions, political decisions yet to be made in many other areas . . . and no accurate prediction of those decisions is yet possible.

What will be the nature of a national health insurance system when it comes? Will the emphasis be on prepayment for medical services, or on the traditional fee-for-service system? An emphasis on preventive medicine, on ambulatory care, on group practice, much greater emphasis on and demand for more effective therapy . . . for care, rather than merely supportive care? Will there be an expansion, or contraction of hospital services as we know them today? Those are only a few of the questions which pop into my mind, to which none of us as yet can venture responsible answers.

And until there are some fairly definite answers, medical colleges can only guess what our medical manpower will be, which specialities will be in short supply, and thus what emphasis should be changed in training patterns. We can only guess . . . except as we surely know that we will need to train MORE medical personnel, and more will be women, and more will be from minority group origins.

What does it mean, as some are telling us, that medical colleges should no longer gear their output so much to the demands of the medical profession as to the needs of society?

Perhaps it means (and I assume this would be a really radical change) that physicians of the future might be trained not so much for the traditional one-to-one, doctor-patient relationships, for attention to the individual who is ill, but trained rather to be part of a team of physicians, nurses and other paramedicals whose target will be the health needs of groups or of communities of people. It is argued that this social emphasis is necessary to "optimize", to make more effective and at lower costs and with greater equity, the services of physicians who are in limited supply.

That troublesome choice, like many others, will depend increasingly on decisions we will make in Washington. But one very significant turn was taken very recently when the President proposed and both houses of the Congress voted, in differing forms, legislation for rapidly expanding Health Main-

tenance Organizations (HMO's) with federal government encouragement, guidance and financial assistance. The House vote on September 12 was overwhelmingly favorable, 369 to 40. There are fundamental differences between the House and Senate bills, and these will be difficult to compromise in the Conference Committee; but I submit that message from Capitol Hill is now very clear, the federal government soon will begin some form of very significant increased support for HMO's, as an attempt to improve the delivery of more effective, more economical health services . . . and this is only one step, with others to follow.

Now, I also suggest it is extremely important to recognize that many other public problems, many national needs and opportunities, and therefore national policy decisions which are well outside the realm of medical sciences and medical practice as usually perceived, nevertheless do influence profoundly and immediately our national health standards, the morbidity and mortality rates of the American people. Among today's examples of such national policy decisions that come quickly to mind are those required because of pollution and ecological concerns, or the energy and food scarcities, nutrition problems, narcotics, alcohol and tobacco abuses, highway and air traffic casualties, crime in the streets and proposed gun controls, plus prison and courts reform, fire prevention and safety, bad housing, poverty . . . you name it!!

Thus, the traditional realms of medical science and medical services are expanding into and are inextricably part and parcel of the much larger complex of all our public policy decisions. Surely, for example, medical research must increasingly be concerned with environmental health problems, with all public health problems in the broadest sense.

There is an immense popular enthusiasm and concern today for a complex pattern of human experience, impossible as yet to define in precise terms but which is often labeled the "Quality of Life". That enthusiasm and concern is strongly reflected in policy makers. And we see it particularly in the amazing (in some respects now alarming) leap in levels of expectation, the heightened standards demanded as acceptable or popularly anticipated, or required of government . . . for the conservation and enhancement of natural resources, protection of a balanced ecology, abatement of all forms of pollution, protection of consumers, eradication of poverty and hunger, provision of good housing . . . these are only a few of those popular demands; and certainly very high on any such list in the public's mind is better health services. And many people actually expect an end very soon to all major illnesses.

These popular demands, these extremely heightened expectations, are not being met in actual practice. President Johnson's promise to end poverty has so far failed miserably. Many of President Nixon's most heralded proposals are as yet only rhetoric . . . witness his "welfare reform" program. Bitter experience is beginning to prove very convincingly that it is most often a serious mistake, inevitably misleading and disappointing, to pick any small piece of the great complex of public problems and with great fanfare and promise (but usually with far too little funding) try to target a crash program for the solution of that particular piece of our problems, when we perhaps by that very effort tend all the more to neglect other related problems. Time after time, we legislators learn the probability that in trying to solve one problem, we inflame or create others . . . for human society is an extremely complex, organic whole, somewhat like the individual human organism.

Do not misunderstand me. I do *not* say solutions to our social problems are impossible. I am not discouraged. I say only that we in government have much to learn, have only begun to seek the effective scientific understanding and therapeutic treatment of social ills. We are as yet only groping, as I suspect medical practitioners are as yet only groping.

But the public, with its heightened expectations and impatience, tends to be considerably disappointed and disillusioned with all of us, for our failure to produce the miracles the public often believes we promised them. Scientists, teachers, physicians, politicians . . . all of us share a certain uneasy lack of credibility, of disdain in much of the popular opinion today, because we so obviously fail to accomplish what an impatient society expects of us.

The space program's dramatic successes are perhaps an element in this unhappy situation. I have constituents who say to me, "Now that NASA has put men on the moon and returned them safely, how come you can't put a man into Lake Erie and return him safely."

The public finds it very difficult to understand the truth, as you and I know it, that most of our great public problems . . . medical, social, health, energy, food, housing, transportation and environmental problems, including Lake Erie's pollution and eutrophication . . . these are far, far more complicated and difficult than was the seeming miracle of traveling to and from the Moon.

NASA's superb Apollo effort is the rare example of a crash program that succeeded, The Manhattan Project, to create an atomic bomb, was another such success. But I suggest that crash programs in the health sciences are as yet of very dubious wisdom or value. At the moment, with considerable fanfare and rhetorical promise, we are committing vastly increased funding to targeted research for the conquest of cancer and to cures for heart disease. Those have been named officially by the White House and the Congress as the two great priorities for our health expenditures, presumably because statistically they are the two greatest killer diseases.

Along with everyone else, I voted for those crash funds. I hope both efforts are a surprising success, and very soon. Personally, I feel extremely vulnerable to both cancer and cardiac troubles.

But as a legislator largely involved in the whole realm of national science and technology policy decisions, I am very skeptical about the wisdom or efficacy of such extreme distortions of program effort as are represented in the crash funding of targeted cancer and heart research. Other diseases also are big killers; and still other diseases do not kill so much as just make life miserable. It might best be recognized that death does not happen to any one person nearly so often as do distressing, debilitating illnesses for which we desperately need cures in order to enhance our "Quality of Life."

The fact is, during this period of enforced budget constraints, by allocating more money narrowly to cancer and heart research, we are robbing funds from all other elements of medical research; some programs are being barely maintained at previous levels in terms of absolute dollars, others are getting fewer dollars . . . all really are getting much *less* support, because the dollars are eroded by inflation. Thus, we may terribly handicap the ability of medical colleges, including Toledo, to improve and expand their research efforts, to meet the broader, valid demands upon them.

Most significant of all is the fact that in narrowly targeting research on cancer and heart disease, we quite probably, almost certainly are cutting back in the broad, basic fields of biomedical research which undergird and sustain all applied research, and which actually will be found essential to the success of even the target research.

It is true that nearly all national policy decisions translate into money, into expenditure levels as a measure of their priority importance. Nevertheless, it should be evident to all of us by now that more dollars do not necessarily buy more productive research nor at any level of our health services delivery system will a greater concentration of dollars necessarily buy that much more health. We've still a lot to learn about how best to invest the taxpayer's dollars in support of good research; but I suggest, perhaps the first requirement should now be stability of funding.

The doubts, the skepticism, the unhappy realities I have stated in my last few paragraphs apply throughout the whole spectrum of all science and technology policy making and funding in the federal government today. The uncertainties are everywhere, just as they are in the medical sciences . . . in part because of the rigid budget constraints and inflation; in part because of the huge pressures of popular expectation and demand, contrasted to the disappointing product of the golden age of expensive and expanding scientific activity in the past 20 years; in part because of the vigorously competing claims of many other public needs and government activities, many of which assert the necessity for changing priorities for research.

The fact that all of us are groping, that all science related policy is in flux, is dramatized in the new and uncertain responsibilities that have been loaded onto the National Science Foundation and its Director, Dr. Guy Stever, after the President dismantled his Office of Science and Technology and removed his Science Advisor from the White House level. These uncertainties also are seen in controversies over the future of NASA and the AEC; the inadequate funding for NOAA and the Coastal Zone Management program; the wide ranging struggle for jurisdictional control, directions and priorities in our immense new emphasis on energy-related research; the growing resistance to military R&D; the growing realization of how much we still have to learn in the environmental sciences; the growing awareness that many of our great national laboratories are not being used fully, nor as effectively and creatively as they should; and in the policy controversies current between the Congress and the Administration . . . especially the very controversial, new initiatives in decision-making by the Office of Management and Budget (OMB).

I wish we could find examples of that in the political world! Dr. Huggins described for us this afternoon a biological process which he asserts is established with certainty, nothing about it is treacherous, he said. The examples I have just cited and many other examples that could be cited, indicate that we in government . . . in the executive and legislative alike . . . have hardly begun to understand fully the needs and opportunities in science and technology as tools for the solution of vast public problems; there is a crucial need for us to strengthen, to be more foresighted and effective in our policy making procedures. And, in that regard, I urge your attention to a newly authorized staffing arm of the Congress, our Office of Technology Assessment (OTA), as one truly hopeful sign that we may be moving in the right direction.

Above all, we need more long time stability and assurance in our authorizations and appropriations for all basic research, especially in support for the life sciences. We have been afflicted with too much go-and-stop, stop-and-go, hurry up-and-wait.

And as a final note of unhappiness, I will inject here my own strong impression that Ohio, our own state, is very inadequate in any efforts it may be making on an official organized basis . . . I know of no such efforts . . . to provide vigorous leadership and support for the sciences and for new uses and development of technology. Obviously,

your new Health Sciences Building is an exception to this complaint. But I do believe some Ohioans with special genius should be given a mandate, and the means necessary, to identify more clearly what needs and opportunities and resources exist in our state and for our state. And I especially emphasize that word *opportunities*. For example, I am confident there should be organized far more positive, creative, profitable working relationships between Ohio and the federal government. And I do hope that some of you present here tonight might be persuaded to work more vigorously to achieve that purpose.

Now, in conclusion, I remind you again of the distinction between the Baconian and the Cartesian ideals . . . the Cartesian emphasis on the great mind at work productively, but in seclusion and secrecy, in contrast to the Baconian belief in the many working productively together, sharing and distributing the fruits of their new knowledge. I cited the Health Sciences Building we are dedicating here as a prime example today of that Baconian idea, where excellent scientists, medical students, undergraduate students and members of the clinical faculty will be working and learning and sharing productively together.

I spoke also hopefully, of a growing interrelationships, mutually nourishing, between this medical college and the Universities of Toledo and Bowling Green.

I mentioned a variety of other such interrelationships . . . group practice of medicine; the interaction of many other national policy decisions with developments in policy for health services and for the life sciences; the danger in distortions from individual, crash programs, that result in neglect of broadly based stability in scientific research; and the need for a more productive coordination between the State of Ohio and the federal government, to use and develop more fully the scientific and technological resources of our State.

And I have reiterated in several ways a strong, urgent belief that physicians and scientists should be much less shy, should in fact be much more activist . . . but wisely and knowledgeably activitist . . . in participating in the political process by which so many profoundly important decisions are made in government which dictate the directions in which the medical professions and medical education must move.

My subject tonight, as listed on the program, was "Science and Public Support of Research". Perhaps I have touched on that subject, but superficially.

But now I have decided the title of these overly long remarks really should be "A Declaration of Interdependence".

I hope I don't sound too much like Karl Marx's "Workers of the World Unite!"

I *do* say to scientists, to students, to professors, to physicians, to administrators, and to policy-making politicians . . . we very much depend on each other, we *need* each other!

MATCOM CELEBRATES INTERNATIONAL CREDIT UNION WEEK

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. BAUMAN. Mr. Speaker, this week, October 22–26, is International Credit Union Week. Some 280 credit unions in the State of Maryland are observing the event, and among them is the MATCOM Federal Credit Union at Edgewood Arsenal.

Organized in 1953 by civilian and military employees of the Army Materiel Command in Baltimore, MATCOM has experienced enormous growth since then. Today, it enjoys a membership exceeding 14,000 and its assets are approaching $9 million. It is the 12th largest credit union in Maryland.

Like many credit unions, it grew from small beginnings. For the first 3 years or so, volunteers performed the work necessary to maintain and build the credit union. By the end of 1956, the board of directors had decided that MATCOM had grown to the point where it was necessary to hire a paid staff member to manage the office during the 3 days a week when the office was open. At that point, MATCOM had 324 members and $47,245 in assets.

Over the next 22 months, MATCOM experienced a 574 percent growth. A second employee was added to the payroll in October 1958. Today, MATCOM employs seven full-time and three part-time staff members.

MATCOM has provided needed financial assistance to thousands of members, making 43,623 loans during its 20 years of service. Funds have been borrowed for hundreds of reasons. There is little doubt that the loan services it provides have averted personal tragedies for many of its members.

Members' savings accounts earn generous dividends, which are compounded semi-annually. An interest refund of 5 percent was paid on June 30 of this year. Members can borrow at low interest rates, and many who have found it difficult or impossible to borrow from outside sources have found MATCOM ready to help them. Since its inception, it has made loans totaling $41,411,153.

The kind of service which MATCOM provides the civilian and military personnel of the Edgewood Arsenal area of the Aberdeen Proving Ground is representative of the benefits offered by the 23,000 Federal credit unions throughout the United States to their 20 million members. It is a record of which they can be justly proud, and I take pleasure in congratulating them this week. Their services are invaluable, and I wish them continued growth in the future.

BOLL WEEVIL ERADICATED IN U.S. TEST

HON. EDWARD YOUNG

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. YOUNG of South Carolina. Mr. Speaker, a number of economic and ecological benefits will flow from a boll weevil eradication program: First, cotton—unlike oil-base synthetics—is produced by an eternal energy source, the Sun. Second, 40 percent of all agricultural pesticides in the United States go into the cotton crop, whereas a successful eradication program can reduce this amount up to 75 percent. Third, the export demand/internal supply squeeze on cotton will be relieved, not only by the recapture of the $200 million annual loss to boll weevil damage, but also by the increased acreage planted to cotton by those farmers who previously had given up on cotton as a profitable crop.

I call to your attention a fine article prepared by the United Press International which appeared in the Washington Post of October 24, 1973:

BOLL WEEVIL ERADICATED IN U.S. TEST

Agriculture Department scientists said yesterday a successful two-year test proves they now have the techniques needed to drastically reduce the volume of pesticides used in farming by virtually eradicating a historic insect pest—the cotton boll weevil.

Since more insecticides are currently used to control the boll weevil than any other insect, its eradication would reduce the volume of pesticides pumped into the environment by American agriculture by about one-third, officials said in a statement. They added that elimination of the insect to the point at which it is no longer an "economic pest" would trim cotton production costs by around $275 million a year.

The two-year experiment, officials said, succeeded in practically exterminating the weevil in test areas by use of a carefully timed and staged combination of control measures including sex-lure traps and release of sterile male weevils.

Agriculture Department officials said the pilot test, which proved elimination of the boll weevil as an economic pest is "technically feasible . . . by the use of ecologically acceptable techniques," was conducted in a 5,000-square-mile area of Southern Mississippi and adjacent parts of Louisiana and Alabama.

By last spring, officials said, surveys found no evidence of boll weevil reproduction in 235 of the 236 cotton fields in the core of the test area where all suppression techniques were used. The only weevils found were in a lightly infested field near the border of the core area.

NATIONAL SECURITY—TOP PRIORITY

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. SPENCE. Mr. Speaker, a popular political cry in recent years has been "We must reorder our priorities." By this is meant, of course, that we must take money away from military programs so that the "savings" can then be made available to certain social-welfare-type endeavors.

For just as long, others of us here in Congress have tried to illustrate the dangers of such rhetoric. We have pointed out, for example, that the same inflation which boosts food prices also undermines the funds we have available for an already precarious military posture.

Fortunately, there still exist a number of newspapers in this country which are invaluable allies in making some of these

factors known to the American people. One such editorial voice belongs to South Carolina's largest newspaper, the State. Earlier this month, the State printed a particularly outstanding editorial, which made an invaluable contribution to American military preparedness.

So that my colleagues may have the benefit of the timely points made in the editorial entitled "Top Priority Must Go to National Security," from the State, I insert it at this point in the RECORD:

TOP PRIORITY MUST GO TO NATIONAL SECURITY

Americans who worry about their nation's security can take some comfort from the Senate's approval of $21 billion for the procurement and development of weapons, but the comfort may be temporary. And it certainly should not lead to complacency.

There are strong forces in Congress these days, and especially in the Senate, which would whittle defense expenditures to the bone. This week's final 91–7 vote of approval for weapons procurement is misleading. More indicative of the serious threat to national security is the 49–47 vote by which the Senate barely saved the Navy's Trident missile submarine program.

The attitude of the self-styled liberals in Congress is both dangerous and disheartening. For one thing, it reflects either an ignorance or an indifference to the potential threat of Russian superiority in weapons systems. In some areas of defense activity, notably in naval developments, the Russians already are outstripping America's rate of progress.

Furthermore, there is a tendency among many congressmen to use the Pentagon as a whipping boy or scapegoat in their efforts to gain funds for use elsewhere. Capitalizing on the unpopularity of the American involvement in South east Asia, several ranking Democrats in Congress seek to divert needed military funds to their pet domestic programs.

Sen. Hubert Humphrey was in full voice (when isn't he?) during the debate on the weapons procurement bill. Seeking to trim the measure by $750 million, the Minnesota senator called upon the Senate to exercise "fiscal responsibility."

"I hear that time and again," he shouted. "Let's have some of it."

We agree that fiscal responsibility is indeed needed in the halls of Congress. But it should be applied not just to military spending but to the hosts of social welfare programs which have grown at a rate far surpassing anything in the defense sector.

In 1963, for example, defense spending accounted for almost 50 per cent of total national budget. This year, that ratio is expected to be in the range of 30 per cent. But, thanks to non-defense spending, the federal budget itself has grown 150 per cent in that decade, aptly described as "the era of triumphant liberalism."

For social welfare programs alone, federal expenditures burgeoned from $37 billion in 1965 to $92 billion within six years. And despite President Nixon's efforts to curb such spending, there seems little inclination on the part of the Democratic Congress to slacken the pace.

Federal spending has gotten completely out of hand. But the onus for extravagance rests not upon the military but upon the domestic sector.

Between two of the goals enumerated in the Constitution of the United States—"to provide for the common defense" and "to promote the general welfare"—Americans must insist that Congress give priority to the former. Without it, the latter could be meaningless.

URANIUM ENRICHMENT VIEWS OF HOLMES ALEXANDER

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. HOSMER. Mr. Speaker, many newspapers throughout the Nation recently carried Columnist Holmes Alexander's article discussing the Nation's new needs for nuclear fuel. I have received considerable favorable response and helpful comments from readers of the item and am pleased to ask that it be reproduced below as it was syndicated.

A LANGUISHING BUSINESS OPPORTUNITY

(By Holmes Alexander)

WASHINGTON, D.C.—The United States still holds an important and wealth-producing "atomic monopoly." But this multibillion-dollar advantage lies dormant and neglected. Deadline for decision making comes up next month when the Joint Atomic Energy Committee opens its October hearings on what to do about the uranium-enrichment industry. This business is already earning substantial revenue in a Free World market that could absorb 40 times its present supply.

Rep. Craig Hosmer (R-Calif.) knows more than anybody else about this obscure and neglected area of the energy crisis. This 11-term Congressman and Rear Admiral (U.S. Naval Reserve) worked as a lawyer at the Los Alamos Scientific Laboratory before election to the House in 1952 and has concentrated on nuclear-related matters ever since. In an extraordinary appeal this month, Hosmer asked the press, members of Congress and of the Administration, as well as the industrial and scientific community for "comment and discussion." He adds:

"These will be particularly valuable if made in the form of oral and written statements for the Joint Committee on Atomic Energy, Phase II, hearings, but the anonymity of anyone wishing to submit data to me in confidence will be fully respected."

At the risk of offering a dull column on an opaque subject, I think it in the public interest to donate my mite. There is no need to beat the gongs about the clear and present energy crisis nor about the need for America to make money that would ease the deficit in our international balance of payments. But there exists a residual superstition about the Hiroshima A-bomb, and a popular reluctance to believe in the vast potential of "peaceful" atomic uses.

Since the invention in 1950 of the H-bomb, the A-bomb has become nonexistent, a horse-and-buggy relic of the military arsenal. As a consequence, the manufacture of "enriched uranium" at the three government plants at Oak Ridge, Tenn., Paducah, Ky., and Portsmouth, Ohio, was drastically cut back, and the atomic concentration was reduced from a military high to a commercial low.

As Hosmer points out, the enriching of uranium is a "service," not a "product." The customers are the U.S. companies and industrialized friendly nations which have use for reactors to generate power. This is a very profitable business, and some 40 per cent of the sales are in the revenue-raising export trade.

In the so-called "separative" work, each unit sells for $50, and by the end of the century the sales are calculated to peak at $56-billion. At the present writing, the Atomic Energy Commission's cash receipts for sales to domestic and foreign buyers have passed the $1-billion figure.

It will be asked—why would such a lucrative and monopolistic enterprise need any promotion? One hangup is that the Nixon Administration has been waiting around for private industry to take over. The history of superstition, along with the financial risk and the antitrust laws, have proved too great an inhibition.

Hosmer is proposing to transfer the AEC facilities to a government corporation, the U.S. Enrichment Corp., as a starter. This will keep the business going, but only until "a responsible" U.S. applicant appears, at which time the government corporation will "suspend . . . for as long as private U.S. firms undertake to supply demand."

Immensely complex as the matter is, the essential ingredient is simplicity itself—popular acceptance of which will allow Congress and the Administration to get a move on.

HOWARD PHILLIPS ON ANTI-POVERTY PROGRAMS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. ASHBROOK. Mr. Speaker, Howard Phillips, the former Director of the Office of Economic Opportunity, has been writing a number of columns explaining the true situation within the governmental bureaucracy that is supposedly fighting poverty. These columns should be read by all in the Congress in order that a better understanding be obtained of this area.

Mr. Phillips urges the Nixon administration to stand up against the bureaucrats and their vested interests and to do the business of the people. At this point I include in the RECORD Phillips' article "How So-Called Anti-Poverty Programs Really Work" from the October 20, 1973, issue of Human Events:

HOW SO-CALLED ANTI-POVERTY PROGRAMS REALLY WORK

(By Howard Phillips)

The degree of influence exercised by liberal Democrat members of the "legal services establishment" on some officials of the Administration can be deduced from the following personal communication to a top OEO official from an OEO grantee:

"What the s - - - do you mean sending me a letter like this? Do you read what you sign or are you unable to understand the legal implications (including the lack thereof) of things which you write?

"You and Steve seem to be hell-bent on putting me in a position where ULI no longer is in existence as of tomorrow and this whole f - - - up mess over at OEO becomes a matter of public controversy which will make any current problems with CRLA look like a Sunday School picnic. Jean"

The author of the above diatribe, sent June 30, 1971, was Jean Cahn, a member of the OEO National Advisory Committee on Legal Services and co-dean of the Urban Law Institute, which has been funded at a rate in excess of $550,000 per year by OEO and has received additional hundreds of thousands from other federal departments. ULI's co-dean is Edgar Cahn (Jean's husband), the former special assistant to R. Sargent Shriver, the first director of OEO.

Mrs. Cahn was complaining to Fred Speaker, then head of the OEO Legal Services Program, that he had signed a letter to her which affirmed that OEO was "presently planning to fund the Urban Law Institute of

Antioch College at a level in excess of ULI's fiscal 1971 funding level."

This was not enough for Mrs. Cahn, who wanted a firm commitment on which she could borrow funds. In order to get what she wanted she threatened Speaker and Steve Huber, then in charge of legal services research and development projects, with public criticism "which will make any current problems with CRLA look like a Sunday School picnic."

This Cahn-Speaker "dialogue" bears consideration for more than the obvious irony of a federal grantee insisting in its "right" to federal subsidy. In a larger sense it typifies the legalized extortion engaged in by an elite group of Washington liberals at the expense of the over-all public.

Mr. Cahn referred to CRLA (California Rural Legal Assistance), an OEO-financed program which California Gov. Ronald Reagan had the temerity to veto, thereby incurring the daily disfavor of the nation's press and the Liberal Establishment in general, which sought to make the governor's decision and the Nixon Administration's reaction to it a *cause célèbre*.

Speaker and his superiors at OEO well knew the ability of the legal services "club" to harass divert and besiege bureaucrats who were less than fully cooperative. At the drop of a phone call there would be editorials in the Washington *Post*, New York *Times*, *New Republic*, and other Establishment organs. Investigative reports would appear on national television and thousands of letters would be generated, through the efforts of grantee employes and advisers whose causes and pocketbooks seemed threatened by shifts in policy.

To an Administration sure of its course and sufficiently confident to counter criticism of its policies, the threat of harassment would have little impact. Unfortunately, however, most Nixon Administration officials quickly learn that embarrassing press controversies are to be avoided. Surrendering a few hundred thousand, or million, dollars here and there, even to the President's enemies, provokes far less criticism from superiors than would a nasty article on page one of the Washington *Post*.

This tendency to avoid controversy—even such avoidance requires surrender in substantive points—became even more pronounced in the wake of Watergate, when top White House officials determined it necessary to limit the fronts on which the President was being attacked (forgetting the idea of themselves attacking on all those fronts).

The opposition learned very early how to read the signals. When your demands are in danger of being rejected, threaten attack. Offer "protection" in the form of a kind word from a newsman, to those who cooperate. In this manner, the bureaucracy continues to respond not to any Nixon-led "New American Revolution," but to the policies, programs and people of the Liberal Establishment who still dominate domestic decision-making in the fifth year of Richard Nixon's presidency.

Until Nixon is himself prepared to assert leadership in the shaping and implementation of domestic policy, he will be President in name only, yelding the "business of the people" to continued domination by the "hit men" of the prevailing liberal orthodoxy.

MELWOOD TRAINING CENTER

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mrs. HOLT. Mr. Speaker, I recently had the opportunity to visit the Melwood Horticultural Training Center during their fourth annual day in the country affair. This was a most enjoyable and informative occasion.

Melwood is a private, nonprofit center which uses horticulture to teach vocational skills, job responsibility, and work attitudes to mentally retarded young people at three training sites in Prince Georges and Charles Counties in Maryland. During its brief, 10-year existence, Melwood has been transformed from a mere concept to a functioning institution which has been described as a "model for the Nation." The graduates of Melwood are going on to lead productive lives holding competitive jobs side by side with nonhandicapped workers.

This project is impressive both because of its results and because it serves as a national example of what concerned citizens can accomplish. I am extremely pleased to have the opportunity to commend the work of the Melwood Center and wish it every success in the future.

FDA'S WAR AGAINST VITAMINS AND THE BEGINNING OF A COUNTERATTACK

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. PICKLE. Mr. Speaker, the Food and Drug Administration's increasing propensity to issue sweeping new regulations in the guise of protecting the consumer has reached a new high with the final regulations, of August first of this year, on vitamins and food supplements.

They are prohibiting the food supplement industry from making claims about their products even when the claims are scientifically accurate. They presume to judge how much and what ingredients may be included in a "food supplement" even though eminent nutritionists widely disagree in this field.

Already pending before this Congress are several bills designed to correct these regulations. I call attention to H.R. 643 which I have the honor to cosponsor as well as several other bills now before the subcommittee on Public Health and Environment of the House Interstate and Foreign Commerce Committee. Hearings will be held next week on this important consumer legislation.

A recent article in the magazine Private Practice published by the County Medical Associations tells exactly what these regulations will do unless we enact legislation immediately. I would like to reprint that article at this time in the RECORD.

The article follows:

FDA'S WAR AGAINST VITAMINS AND THE BEGINNING OF A COUNTERATTACK

(By J. F. Baldacchino, Jr.)

Few groups in the United States, it is probably safe to say, are more familiar with the Food and Drug Administration's proclivity for issuing sweeping new regulations than the practicing physician. Although purportedly designed to bring about "consumer protection," in practice these regulations, often have the opposite effect. Yet, even practicing physicians may be startled by the sheer scope of the agency's recently proclaimed vitamin-mineral regulations.

Briefly stated, the new edicts, first published as proposals in the January 19 issue of the *Federal Register* and decreed as final regulations on August 1, 1973, will:

Limit the potencies of the permitted nutrients in a vitamin-mineral food supplement to a low, narrow range;

Redefine as "drugs" many products previously defined as "food supplements," subjecting them to the same unrealistic efficacy requirements that already plague the pharmaceutical industry;

Prohibit the food-supplement industry from making a number of promotional claims or suggestions about its products, even when scientifically accurate;

Limit the permissible combinations of ingredients in a dietary supplement; and

Limit the ingredients which may be included in a dietary supplement by permitting the inclusion of only those vitamins and minerals deemed necessary by the F.D.A.

The regulations establish what the F.D.A. terms a "U.S. Recommended Daily Allowance (RDA)" for each of 19 vitamins and minerals recognized as "essential" by the agency. According to the F.D.A., these Recommended Daily Allowances which are generally higher than the old Minimum Daily Requirements that they replace, are "sufficient to meet the nutritional needs of essentially any healthy individual." In defense of this position, the F.D.A. points out that the RDAs are based upon the recommendations of the National Academy of Sciences-National Research Council.

"The single most important purpose and effect of the regulations," Alexander M. Schmidt, F.D.A. commissioner, declared, "is to require full and honest labeling and fair promotion of vitamin and mineral products, whether marketed as foods, dietary supplements or as drugs . . . The regulations don't ban any vitamin or mineral from the market or force any manufacturer willing to provide proper formulation and full labeling out of business."

The fact remains, however, that the allowances for many of the nutrients fall extremely short of the dosages suggested by other, equally reputable nutrition experts. The RDA for Vitamin C. for example, is 60 milligrams. Yet, Dr. Linus Pauling, winner of a Nobel Prize for his research in chemistry, recommends that persons take 50 times that amount daily to prevent colds.

Despite the wide variation of opinion among nutritionists, the F. D. A. regulations arbitrarily accept the RDAs as "facts" and decree that all food supplements containing more than 150 per cent of the RDA will henceforth be redesignated as drugs.

While there has been much confusion concerning the fate of these newly classified drugs, with many fearing that all food supplements exceeding the upper limits on nutrient levels would be confined to use by prescription only, the F.D.A. denies this charge, pointing out that many of the newly defined "drugs" will probably be sold, like aspirin, as over-the-counter products.

Despite the F.D.A.'s denials, critics are less than satisfied. Initially, they point out, the recent orders already subject two nutrients to prescription sale. Beyond this, the F.D.A. admits that it plans to review the remaining products to decide which others should be similarly restricted. In view of the agency's past actions, they argue, it is difficult to be optimistic.

Restricted to prescription use thus far will be any vitamin product containing in excess of 10,000 I.U. of Vitamin A or 400 I.U. of Vitamin D. The reason for this, according to the F.D.A., is that there is a danger of toxicity in the ingestion of these vitamins in

amounts exceeding those levels. Such danger, the agency says, is well documented in the medical literature.

The National Nutritional Foods Association challenges the F.D.A. claim. An examination of the evidence, declares this organization, which has been presented by the F.D.A. to substantiate its claim, "demonstrates . . . a total lack of support" for its position.

The NNFA points out that of the 104 references published in the December 14, 1972 *Federal Register* to support the agency's restrictions on Vitamins A and D, 84 were published before the Food and Nutrition Board, National Research Council, and National Academy of Sciences published its "Recommended Dietary Allowances," Seventh Edition in 1968.

"At the time when the overwhelming majority of the reports in the Vitamin A bibliography were available," the NNFA study continued, "the Food and Nutrition Board stated on Page 23 of its publication that, 'If large doses of Vitamin A (20 to 30 times the RDA) or of carotene are ingested for long periods of time, manifestations of toxicity develop.' "

The RDA for Vitamin A is 5,000 I.U. per day. Thus, the NNFA continued, in referring to toxicity at levels of 20 to 30 times the RDA, the Food and Nutrition Board speaks of manifestations of Vitamin A toxicity when taken at dosages of 100,000 to 150,000 I.U. per day for long periods of time.

Similarly, the NNFA study states, in its consideration of Vitamin D toxicity, the Food and Nutrition Board's 1968 publication states that, "there is no evidence that intakes of the order of 2,000 to 3,000 I.U. per day produce hyper-calcemia beyond infancy."

"It is thus obvious," the NNFA concluded, "that notwithstanding the reports set forth in the bibliography used to support the present proposal, the Food and Nutrition Board has considered the problem of toxicity at levels far beyond the arbitrary and unreasonably low levels for which prescription requirements are now being suggested."

This is the same Food and Nutrition Board which the F.D.A. has cited so proudly as the source for its vaunted RDAs and has referred to as "the recognized authority for determining vitamin and other nutritional requirements for the human . . ."

The new F.D.A. regulations have also been challenged by the National Health Federation, which represents health food enthusiasts. "There is no question about the fact that we will go to court," said Clinton Miller, the federation's vice president. He said that the suit would allege that the F.D.A. hasn't any authority to establish minimum and maximum amounts of vitamin and mineral content of supplements and that, in any event, lengthy agency hearings have not established the need for such restrictions.

Mr. Miller said that the federation also will pursue efforts to get Congress to overturn the regulations. It claims 165 House sponsors so far for a bill to prohibit F.D.A. restrictions on vitamins and minerals unless a safety threat can be demonstrated.

In New York, Morris Aarons, general counsel for the National Association of Pharmaceutical Manufacturers, which represents smaller drug and vitamin makers, called the F.D.A. action "absolutely wrong and without basis." He said that if necessary the association would take legal steps to block the regulations.

Edgar Udine, president of Hudson Pharmaceutical Corp., an 80%-owned subsidiary of Cadence Industries Corp., said that under the new regulations "people will have to pay more for vitamins if they want to continue taking the same dosages."

If public reaction to the new regulations has been laced with confusion on the prescription issue, there can be little doubt about the meaning of the other F.D.A. decrees which shed a great deal of light on the agency's attitude toward the taxpayers who support it. These, according to the new edicts, are findings of fact:

"Lay persons are incapable of determining, by themselves, whether they have, or are likely to develop, vitamin or mineral deficiencies. There is no rationale for allowing the promotion of dietary supplements of vitamins and/or minerals to the general public. . . . Vitamin or mineral deficiencies are unrelated to the great majority of symptoms like tiredness, nervousness, and rundown condition. . . ."

That many experts disagree with these so-called "facts" means nothing to the F.D.A. Indeed, even where there is agreement that food supplements may do some good, bureaucrats at the F.D.A. worry that the average consumer, poor creature, lacking the omniscience that stems from government employment, might be confused by scientifically accurate statements and buy more than he needs.

To preclude such a catastrophe, the F.D.A. regulations forbid manufacturers from making numerous truthful statements about their products.

Prohibited, for instance, will be any true claim or even an implication that any diet of ordinary foods may not supply adequate nutrients. Also proscribed will be any suggestion, even if correct, that the vitamin content of foods is affected by the soils in which they are grown or by the manner in which they are stored or processed.

Carrying its concern to even more extreme lengths, the agency has reduced to a handful the combinations of ingredients that will be available in coming years. Outlawed will be such products, now available, as a B-complex formula or the combination of calcium and Vitamin D. Never mind that many experts recommend such combinations. Never mind that many people want to buy them. Never mind that—with few, if any, exceptions—none of these products are toxic—or are even claimed to be

Virtually banned by the regulations will be the sale of the "P" vitamins, otherwise known as the bioflavonoids. Although these items can be sold as single-ingredient products, no claims whatsoever can be made concerning their nutritive value or may they be included in combination with any of the "essential" vitamins or minerals.

The reason for this restriction, the agency says, is that there is no scientific evidence to prove any nutritive value in the bioflavonoids; and "it is false and misleading to combine nutrients of proven value with food factors of unproven nutritional value because of the clear implication that the latter have nutritional value similar to the former."

Despite the F.D.A.'s flat denunciation of the bioflavonoids, however, there are hundreds of studies which attest to their value in preventing bodily disorders.

Discovered in 1936 by Albert Szent-Gyorgyi—a Hungarian physician, chemist and Nobel Prize winner—the bioflavonoids were found to help patients with bleeding problems that had not responded to Vitamin C. Because the substances appeared to have a curative action on the permeability of capillaries, they were called Vitamin P for permeability.

Prevention Magazine reports that it found more than 500 studies attesting to the efficacy of the bioflavonoids in almost every known disease state. It declared that, "We found that there are more than 200 different substances under the umbrella generally known as bioflavonoids. Not all of them are biologically active. We found that they are never toxic even in massive doses."

How many studies were found that judged the bioflavonoids ineffective? *Prevention Magazine* discovered only two, and stated that, ". . . it is these two studies both published in the *Journal of the American Medical Association* which reverberate through a subsequent review of the literature which is quoted in the *Pharmacological Basis of Therapeutics*, the text of which Dr. Alfred Gilman co-authored and which Dr. Gilman quotes in the decision which, as a member of the National Academy of Sciences, he drew up for the F.D.A."

There is significant data on the other side. In a national symposium at the New York Academy of Sciences held in 1955, for example, scientists reported that bioflavonoids appear to strengthen the wall of capillaries. In many disorders, such as polio, chicken pox, coronary thrombosis, ulcers, diabetes, high blood pressure and hemorrhages the walls of the capillaries are weakened. Because of this condition, scientists have searched for ways to decrease capillary fragility. Numerous drugs have been tried, but at the symposium in New York City, scientists reported in many cases the bioflavonoids seemed to be the most effective—and with no side-effects.

The intransigence which has characterized F.D.A. pronouncements on this subject has taken its toll in public opinion. Public response to the new edicts has been the strongest in the agency's history, with more than 95 per cent of all comments opposed.

Responding to this outcry, more than 165 members of Congress have agreed to cosponsor HR 643, introduced by Rep. Craig Hosmer (R-Cal.), that would prevent the Food and Drug Administration from banning the sales of truthfully labeled food supplements for reasons other than safety and fraud.

"Many of us are aroused," says Hosmer, "at the thought of the F.D.A. putting unneeded restrictions and regulations on vitamins and vitamin supplements. This, in my opinion, is just another attempt by the bureaucrats to control our very lives. I am confident that the majority of the American people have the wisdom and good sense to consume these items properly and beneficially."

With Congress finally peering into the F.D.A.'s closet, perhaps a few other skeletons might be brought out for public inspection. A good place to start: The aforementioned regulations keeping proven medications off the American market.

COLLEGE FOR PRISON INMATES PROPOSED

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. WALSH. Mr. Speaker, I would like to call the attention of my colleagues to a bold new educational concept for rehabilitation in the correctional system.

The State University of New York and the Department of Correctional Services are exploring the establishment of a college for inmates to be located at the Department's complex at Bedford Hills, about 40 miles north of New York City.

Chancellor Ernest L. Boyer and Commissioner Peter Preiser recently announced that the proposed college, the first of its kind in the Nation, would make it possible for both men and women to engage in full-time study toward a 2-year degree in liberal arts or science.

In addition, a joint task force established by the university and the Department of Correctional Services will conduct a thorough study of higher educational opportunities in the 24 different correctional facilities of the State.

Chancellor Boyer emphasized that the college would be a unique experiment—a correctional facility which also serves as a separate campus—and would supplement the wide range of credit and occupational courses currently offered by State university at seven of New York State's correctional facilities.

Initially, the college would offer associate in arts and associate in science programs to 250 inmates. The task force would develop methods of selecting qualified students from the statewide inmate population and would work toward a network of programs which would draw upon the statewide higher education resources of the university. Chancellor Boyer said that administrative and faculty personnel for the college would be recruited from within the university itself.

Chancellor Boyer and Commissioner Preiser anticipate a program of counseling, remedial work, and college-level instruction at other correctional facilities which would provide basic academic or technical skills and introduce the possibility of full-time collegiate study for other groups of inmates.

Commissioner Preiser stressed the value of a liberal arts education in helping inmates to understand society and their place in it and in seeing themselves as a functional part of that society.

I commend Dr. Boyer and Commissioner Preiser for the tremendous strides they are making in helping to return prisoners to society to lead productive lives. The net result of this innovative program will most certainly benefit society at large as well as the inmates involved.

CONSTITUENTS WANT IMPEACHMENT

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. HARRINGTON. Mr. Speaker, I rise today to give my colleagues an indication of how my constituents and the Nation feel about the impeachment of the President. Beyond my role as a legislator, responsible to my own conscience, I must also, of course, take into account the diverse views and interests of my constituents. Each must strike this balance in his or her own way: to weigh out consciences with the views of the people we were elected to represent. Where little conflict arises, all the better. In such a case as this, where public opinion may be running well over 50 to 1 in favor of impeachment, I submit that the choice has already been made and that it is the duty of the Congress to begin impeachment proceedings immediately.

It is in this spirit that I enter the following statistics concerning the letters and telegrams I received between Saturday and last night. I urge my colleagues to do the same, so we may all see more clearly where the country stands.

In favor of impeachment, 291; opposed to impeachment, 6.

LEGAL SERVICES ABUSES

HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. TREEN. Mr. Speaker, the September 22 issue of Human Events included an article by former OEO Acting Director Howard Phillips which, quoting an OEO-financed publication, spelled out a number of recent legal services activities of questionable character. I hope the points raised will receive serious consideration before Congress takes final action on this legislation.

LEGAL SERVICES ABUSES

(By Howard Phillips)

Who would argue with the concept that America's less affluent citizens should have equal access to the nation's system of justice? Yet how many citizens realize that tax dollars appropriated under the banner of "legal aid for the poor" is in fact used to subsidize a wide-ranging liberal agenda for social change?

The fact is that present legal services activities subsidized by the Office of Economic Opportunity (OEO) and other government agencies are used to finance a nationwide network of nearly 3,000 legal services attorneys, hundreds of organizations, and additional thousands of support personnel who are almost totally free to establish their own priorities for issues to receive attention and access to legal services resources. With nearly $80 million in support annually from OEO alone, they work full-time, using the judicial system to change public policy.

The scope and nature of the "high-impact litigation" by these dedicated activists with law degrees is regularly reflected in *Clearinghouse Review*, a publication financed by OEO through a grantee at the Northwestern University School of Law.

The August 1973 edition of the magazine is typical, with case reports on legal services activities as diverse as a class action attack on the U.S. Postal Service for refusing to hire persons with histories of illegal drug abuse, a suit against Roy Ash, the head of the Office of Management and Budget, challenging the President's impoundment of funds for environmental programs, and a U.S. Supreme Court appeal insisting on the right of an unmarried minor to obtain contraceptives.

Other recent or pending cases receiving aid through the OEO program include:

A Pennsylvania suit challenging the detention of a convicted felon accused of committing an additional crime while free on bail;

A Washington State suit in which attorneys of the Prison Legal Services Project argued that their client, imprisoned on a marijuana charge, had been subjected to cruel and unusual punishment;

A Miami case arguing that seizure of an automobile by the U.S. Bureau of Customs in connection with an allegation of illegal possession of drugs violated the plaintiff's right to due process;

A Merced, Calif., case to gain reinstatement of a high school student accused by school administrators of participating in a race riot and improperly having in his possession a bicycle chain;

A suit by the Western Center on Law and Poverty contesting a college's termination of federal aid to a student convicted of battery in connection with a campus racial melee;

New York and Hawaii suits, knocking down the requirement that government employes be citizens of the United States;

A class action demanding that an Iowa statute prohibiting the civil service employment of convicted felons to be set aside;

A successful challenge to the denial to aliens of Medicare supplemental medical insurance benefits;

A suit supporting the demand of the Eastern Kentucky Welfare Rights Organization that tax-exempt status be denied hospitals refusing to provide free services to poor people;

A Boston class action challenging the city's right to discontinue or threaten to discontinue methadone treatment without a hearing;

A suit by the National Juvenile Law Center against parents who withdrew their child from psychiatric treatment;

A San Francisco Youth Law Project challenge to the State of California's attempt to reconvict a juvenile defendant of second degree murder after his initial conviction was reduced by a juvenile court judge to manslaughter;

A Missouri suit questioning the transfer to adult court jurisdiction of a minor charged with four counts of murder;

A West Virginia case demanding that the warden of the State penitentiary show cause why a prisoner should be denied his liberty before assigning the prisoner to solitary confinement;

A Norwalk, Conn., case challenging the authority of the state welfare department to close down a local welfare office solely on the grounds of administrative efficiency.

Although the above list represents only a partial sampling of one month's reported activity, it is well to observe that many of the cases described appear to have been undertaken in clear violation of regulations and statutes governing legal services activity.

Theoretically, OEO-funded attorneys are precluded from providing representation to those who are not poor or who are voluntarily poor, and in criminal cases. Unfortunately, these prohibitions, drafted with gaping loopholes, have been broadly interpreted and weakly enforced by the national office of legal services.

This points clearly to the need for Congress to spell out with precision the uses to which it wishes legal services appropriations to be put.

Shall legal services be provided so that minor children may bring suit against their parents? Are non-citizens to be represented while needy children are turned away? Are suits on behalf of prison inmates to be allowed at the expense of the noncriminal poor? Should attorneys for the poor be concentrating on marijuana and student disorder cases?

These are just a few of the questions which the U.S. Senate should face when it takes up the proposal for a Legal Services Corporation later this month. For, while attention has focused on presidential usurpation of congressional power, legal services attorneys seem to be having a far greater impact on the course of public policy than either Richard Nixon or Carl Albert.

SOUTHERN JOURNALISM LOSES A LEADER

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. JONES of Tennessee. Mr. Speaker, one of the South's most astute political columnists passed away unexpectedly yesterday in Memphis, Tenn. William B.

Street, political editor of the Memphis Commercial Appeal, was respected throughout the South by fellow journalists and politicians alike.

Bill Street was my friend, but our friendship never kept him from taking issue with me when he felt it necessary. I would sometimes call on him for advice on important matters and his comments always cut through to the basic facts. He was a master at paring away the rhetoric and getting to the real issues involved.

The Memphis Commercial Appeal has lost a man of stature. Its readers will miss Bill's sharp and incisive columns. I have lost a good friend and want to express openly my condolences to his wife, Maxine, and the rest of his family.

THE HONORABLE J. VAUGHAN GARY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. ROONEY of New York. Mr. Speaker, it was with a great deal of sadness and a deep sense of personal loss that I received word of the passing of my good and longtime friend and former colleague, J. Vaughan Gary of Virginia on last September 6.

Vaughan Gary served his country well and often in many and diverse capacities. He was a soldier during the First World War, a practicing lawyer in Richmond, president of the Richmond Bar Association, and a trustee of the University of Richmond. His service to both his State and his country continued with his service in the Virginia General Assembly from 1926 to 1934.

After leaving the legislature his public service continued as chairman of the Virginia advisory legislature council committee. He was also a leader in the study of the interaction of Federal and State governments in slum clearance and penal reform.

In 1945, Vaughan was elected to the House of Representatives and served here for 20 years until his retirement in 1965 at the age of 72. It was my great honor to have served with Vaughan Gary on the Appropriations Committee, January 28, 1946, until his retirement. We served together on the State, Justice, Commerce, Judiciary Subcommittee of which I was chairman, and on Foreign Aid Subcommittee of which he was chairman.

Mr. Speaker, it was my pleasure to have known and served with Vaughan. He was a true Virginia gentleman, with whom I traveled over most of the world. He enjoyed a host of friends on both sides of the aisle during his two decades in the House. I am sure his memory is cherished by all those who knew him and that my sense of personal loss is shared by many, both in this Chamber and in the other body.

To Mrs. Gary and her family, I extended the Rooneys' deepest sympathy and personal condolences.

AMBASSADOR YASUKAWA'S SPEECH TO JAPAN-AMERICAN SOCIETY OF WASHINGTON

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. NIX. Mr. Speaker, Ambassador Takeshi Yasukawa of Japan made his first speech since coming to the United States before the Japan-America Society of Washington on October 11.

As one who served in Washington more than 10 years ago from 1957 to 1961, Ambassador Yasukawa is an old friend of the United States and it is a pleasure for me to welcome him to the United States in his new capacity.

Ambassador Yasukawa's speech was a statesmanlike address and I was gratified to find in it his belief in the firm bond uniting Japan and the United States through our joint commitment to democratic freedoms.

The Ambassador's speech was also notable for its measured and frank discussion of the security and economic problems which face our two countries and for his confidence that these problems would be solved through cooperation between us.

Because of his excellent statement of our problems and his optimistic appraisal of their solution, I am pleased to submit Ambassador Yasukawa's speech herewith for the information of my colleagues.

The speech follows:

ADDRESS BY H. E. TAKESHI YASUKAWA

It is a great pleasure and honor for me to have this opportunity to make by first speech as Japan's Ambassador to the United States before the Japan-America Society of Washington.

I served in our Embassy in Washington more than 10 years ago, from 1957 to 1961, and tonight I am very pleased to meet many old friends I have known since then. Tonight, I have also a great pleasure of meeting many new friends and nothing is more encouraging and reassuring in performing my duties as Ambassador than to meet old friends and new friends all assembled in this room.

In the realm of international relations there are many dimensions. There are the economic dimensions, the political ones, and there are also the cultural dimensions. Your distinguished Society symbolizes the human dimension in U.S.-Japanese relations at its best. You are the personification of what is finest, most sensitive, and most informed in this respect, and as a result, the Japan-America Society is an important forerunner for advancing greater understanding and rapport between our two countries.

Your invitation therefore gives me a very welcome opportunity to share with you my views of U.S.-Japanese relations as they are today, and also to offer you my hopes and expectations for the future.

The timing is appropriate for another reason. The partnership between our two countries, which has matured very rapidly over the past quarter century—and especially over the last few years—has now reached a critical threshold. Indeed, the entire structure of international relations is in transition. The cold war confrontation is hopefully being eased by cautious steps toward a more stable and less dangerous deterrent balance and by the gradual expansion of East-West commercial and other exchanges, although we have a long way to go before a truly stable and lasting peace can be established all over the world.

North-South relations, between the developed one third and the developing two thirds of the world's peoples, are also being transformed by such "new" issues as the threatened gap between world demand and supply of energy resources, industrial raw materials and food, as well as by the demands of the developing countries for increased capital and technology.

Simultaneously, the international economic structures which have supported over the last quarter century the most rapid world economic growth and trade expansion in history may no longer be fully adequate to meet the world's current and future needs.

All these developments at once are now compelling governments and private interests around the globe to examine new trends and forces, and to weigh possible solutions which in many cases have little precedent in the past.

As Prime Minister Tanaka observed during his recent visit to the United States, "world politics have reached the most significant turning point since the war." The new dimension of our time, Mr. Tanaka indicated, is an "international interdependence" which creates "challenges (that) can be met only through global cooperation, and especially through the close collaboration of Japan, the United States and Europe." It is precisely this new dimension in the Japanese-American partnership that I should like to explore with you today.

The enduring foundations for our trans-Pacific partnership were succinctly summarized by President Nixon and Prime Minister Tanaka in the joint communique they issued, following their summit talks in Washington, last August 1. These are: "a common political philosophy of individual liberties and open societies, and a sense of interdependence."

Japan and the United States are firmly bound together by our shared commitment to democratic freedoms. This same bond, of course, also links Japan to the other great democracies as well, and it is one of the reasons why Secretary of State Kissinger has been seeking lately about what amounts to an Atlantic-Pacific community of democratic powers.

Given this common philosophical foundation, Japan and the United States have developed a natural interdependence over the last two decades. At the peak of cold war tensions in the early 1950s, our two countries entered into a mutual security arrangement, which was renewed and revised in 1906. Under the treaty, the United States is committeed to defend Japan against an armed attack. Japan, on its side, provided military bases to the United States as a contribution to the maintenance of peace and security in the Far East. These security links remain in force and are still the ultimate guarantee of Japan's security.

As I mentioned before, the world is now moving from an era of confrontation to one of dialogue. As a result, one now hears an argument in Japan that we no longer need the U.S.-Japan Security Pact. But I cannot accept such an argument. The most important element for the security and development of a country is for people to be able to do their day-to-day work with a sense of security. The Japanese people have been able to devote themselves to nation building, the economic development of their country, in particular, with such a sense of security for the last 20 years. Though world tension is becoming more relaxed, if the U.S.-Japan Security Pact were to be abolished, it is easy to foresee how insecure many Japanese would feel.

On the other hand, I realize that not a small number of Americans feel that Japan's defense efforts, in comparison with the com-

mitments given by the United States for the defense of Japan, are inadequate. I cannot accept this argument either. In the small territory of Japan, crowded with 104 million people, large U.S. bases are maintained. The Japanese government, in order to maintain these U.S. bases effectively, takes heavy responsibilities not only financially, but also politically and psychologically. I should like to refer, in this respect, to the testimony of former Secretary of State Rogers who said that these U.S. bases in Japan contributed not only to the defenses of Japan, but also to the peace and security of the Far East, and thereby served the interests of the United States itself. The U.S.-Japan Security Pact therefore conforms to the mutual interests of both Japan and the United States.

Furthermore, Japan's Self-Defense Forces, which currently consume about one percent of the gross national product, are now undergoing a five-year $15 billion modernization program, which will greatly improve Japan's self-defense capabilities within her constitutional limits.

On the economic front also, the Japanese-American interdependence has matured over the years, and has changed significantly in quality and potential. For many years—in fact, even in the late 19th century—the United States has been the principal market for Japanese exports. The nature and quality of these exports has changed enormously, however, especially during the last decade or so as the fast-growing Japanese economy has become increasingly competitive in high-technology, high-quality industrial and consumer goods.

For the United States, Japan has long been its largest overseas market, second in value only to the continental U.S.-Canadian trade. Moreover, U.S. exports to Japan are more diversified than U.S. exports to any other country. Japan is by far the world's largest customer for American farm products. In the last U.S. fiscal year, Japan became the first country in the world to import more than $2 billion of American agricultural commodities a year. Japan is also a major world market for both U.S. raw materials and manufactured goods, including a high growth in demand for very high technology manufacturers—computers, aircraft, machine tools, etc.—and for quality consumer goods, such as home appliances and sporting goods and high-fashion apparel.

As might be expected in so vast and complex economic interdependence, we have had our share of problems—on both sides—in this relationship. Until the mid-1960s, most of the problems were on the Japanese side—substantial trade deficits with the United States and chronic payments deficits on a multilateral basis. During the mid-60s the deficits shifted to the U.S. side. And, during the last two years, as overall U.S. trade slipped into unprecedented deficits, Japan found itself in the unaccustomed position of being America's largest creditor on trade account, and a major surplus country in foreign currency reserves.

You will recall that it has taken a number of cooperative measures among all the principal trading and financial powers—including two successive multilateral currency realignments—to begin to reverse the deficit trend in U.S. trade. Japan took the most stringent measures in this joint global effort, including a 36 percent upvaluation in the yen against the dollar, unilateral tariff cuts and removal of quantitative restrictions and other trade barriers, selective export restraints, accelerated purchases of U.S. exports, an accelerated outflow of Japanese direct foreign investments, and a virtually complete decontrol of foreign investment in Japan.

You are also aware, I am sure, of the rapid and very welcome results of these combined efforts to restore equilibrium to U.S. imports from Japan grew by only 10.4 percent over the same period in 1972, while U.S. exports to Japan increased 68.6 percent. The U.S. deficit in its trade with Japan will almost certainly be cut in half this year, and should be in near balance once again within another 12 to 24 months. Largely as a result of the multilateral currency realignments, overall U.S. trade is also moving toward the black, and may be in reasonable balance by the end of 1973.

The efforts made by the United States in controlling domestic inflation, increasing the productivity of its industry and encouraging its industry to exploit foreign sales opportunities, undoubtedly, have made essential contribution to the improvement of the situation and the maintenance and furtherance of such efforts are expected in the future.

Much more important, probably, we need to understand that the world economy will never be quite the same again, now that we have crossed this historic threshold. One of the most important features is the emergence of new economic powers, such as the enlarged European community and Japan. The Soviet Union, China and the other centrally planned economies have so far had only a marginal impact on wider international trade, but that impact may increase rapidly.

And, as I suggested earlier, the resource-rich developing countries are demanding a much larger voice in world economic affairs, and a much larger share of world capital, technology, management expertise, and the benefits of economic growth and social modernization.

The most urgent task the world faces is to develop workable solutions to these common problems. We have reached a historic turning point where we need to cooperate creatively on the basis of our interdependence which has newly emerged.

High on our agenda is the job of restoring a healthy momentum to world trade expansion. The abnormal trade imbalances of the last couple of years not only undermined world monetary and price stability, they also revived protectionist formulas which threatened the orderly development of international trade. The GATT negotiations on trade which were successfully launched last month by the Ministerial Conference held in Tokyo, must succeed in upholding the principle of free trade while making necessary adjustments to the world trade mechanism to meet our present needs.

The healthy expansion of the world economy naturally requires world monetary reform. We must combine all our efforts to reach satisfactory solutions on this important issue by July next year as agreed in Nairobi last month. The most careful attention must also be paid to the problem of ensuring equitable access to finite energy resources and essential minerals and other industrial raw materials—especially in times of political stress. And the advanced industrialized democracies would also be wise to pool their research efforts in the development of alternative energy sources and raw materials substitutes.

There are a number of other difficult questions on our immediate agenda. One is inflation, which is apparently endemic in some measure to all high-growth, high-consumption societies, and which has become an international rather than a purely domestic concern. Another is industrial pollution and the management of environmental quality. This has also become an international concern first, because it is a costly byproduct of industrialization and second, because the effects of air and water contamination are not contained by imaginary national boundaries.

Perhaps the most urgent common problem we face is the challenge of speeding economic modernization of the developing regions. This is a matter, not of choice, but of necessity to endure future world stability and peace, to sustain world economic growth and prosperity, and to fulfill the legitimate aspiration of well over half the world's population.

Aid to the developing nations is, in fact, one of the stoutest pillars in Japan's foreign policy. Japan's annual aid outflow, which reached two and three quarters billion dollars last year, is second only to U.S. aid in value, and represents nearly 1% of our GNP. Japan's economic cooperation program is expanding steadily in value, and should match current U.S. aid levels in several years. For example, Japan is assuming a larger share of the economic aids to developing countries in Asia.

Of course, this does not mean that the role of the United States has diminished. On the contrary, it remains highly important. I am convinced that this provides one of the areas where Japan and the United States can most effectively cooperate. In this connection, I should like to emphasize that aid to the developing countries enjoys full support of our people. Deeply committed to the promotion of international security and peace, the people of Japan believe that a generous and effective foreign aid program is their principal contribution in this respect.

Now, I have referred to some of the important problems we face today. Although many of these problems are economic in origin, their political significance can never be ignored.

Japan is already trying to broaden its participation in world affairs, both multilaterally and bilaterally. Following Prime Minister Tanaka's visit to the United States, Japan has been very active in the current session of the United Nations, where it is contributing not only at the policy level, but to which it has also made a substantial financial contribution to ease the problems of this world-organization.

Moreover, as you are aware, Prime Minister Tanaka has been busy since late September in a broadly-based trip to Europe and the Soviet Union. His travels have been described in American newspapers as "the most extensive round of international summitry ever undertaken by a Japanese Prime Minister". Certainly his trip symbolizes a new phase in Japan's role in the world, in which it is trying to strengthen its ties and understanding with the European nations, and also to underscore that Japan is very much involved in world affairs today. This is another indication that Japan is preparing to "carry more load", politically and economically, in the international field.

For my part, I am optimistic about the future, Japan is not a large country; it is barely the size of California, with half the population of the United States. It is also a very vulnerable country—crowded and strategically vulnerable in this age of weapons of mass destruction, and vulnerable also in the sense that it depends for survival on imports of 90 percent or more of its energy and raw materials requirements. Very clearly, Japan's vital interests lie in a world that is at peace, and is working together to share the benefits of stable growth and prosperity. It is understandable, therefore, that we Japanese are eager to make our full contribution to the building of a more peaceful and more prosperous world society.

There is another important reason for my optimism. This is the extraordinary experience our two countries have shared in building one of the most productive and dynamic partnerships in the history of international relations. It is a remarkable relationship because our two peoples are, in so many respects, different and even distant from each other's comprehension. We had profound differences in an earlier generation, and we have had misunderstandings and even apprehensions of each other over the past few years. As my Prime Minister mentioned when he visited here last summer, "our capacity

to communicate with each other is seldom equal to the demands of our evolving relationship."

Yet our relationship *has* evolved and matured. We have surmounted our most difficult problems, and are learning new reasons for broadening and deepening our cooperation. The United States and Japan, the two most productive societies in the community of democratic nations, are making their interdependence work for the common good.

That, I believe, is the most exciting dimension of the Japanese-American partnership, and a living demonstration to the world that peace and cooperation are indeed possible.

Let me thank you once more for your kind invitation to be with you this evening, and for your courteous attention. In speaking before the members of the Japan-America Society, I feel that I am speaking *with* understanding friends rather than *to* a number of persons in the United States who understand and are interested in Japan and U.S.-Japanese relations will grow substantially. For in the final analysis, the human dimension is the critical one, and our mutual capacity for understanding is the key for consolidating and amplifying the progress which has already been made.

Thank you most sincerely.

YOUNG REPUBLICANS CONCERNED OVER PROPOSED UNICEF CONTRIBUTIONS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. ASHBROOK. Mr. Speaker, in the October 4 CONGRESSIONAL RECORD, I pointed out that UNICEF, a United Nations agency heavily dependent on American financial contributions, is on the verge of giving aid to both North Vietnam and Communist controlled areas in South Vietnam. UNICEF's executive board has already authorized extending aid to North Vietnam and to the Communists in the South as part of a $30 million program for Indochina in 1973–74. Recent reports indicate that Hanoi is now negotiating with UNICEF officials in order to obtain this assistance.

The Young Republican National Committee, representing approximately 500,000 young Americans, has expressed its concern over the proposed UNICEF contributions. At its board meeting on October 21, the National Committee adopted the following resolution:

Whereas, the United States has spent over 46,000 lives; $150,000,000,000+; and 10 years fighting a "no-win" war in Vietnam, and

Whereas, the American people expressed strong opposition to the proposals for giving post-war aid to Communist North Vietnam, and

Whereas, UNICEF has stated their intent to supply aid to North Vietnam and Communist controlled areas of South Vietnam and

Whereas, UNICEF receives about 30% of its budget from the United States Government and additional funds from voluntary contributions from American citizens, especially on Halloween of each year, therefore

Be it resolved, that the Young Republican National Federation urges the state and local Y.R. organizations to inform their local communities of the intent of UNICEF to supply aid to North Vietnam and Communist controlled areas of South Vietnam.

I commend the Young Republican National Committee for adopting this resolution. Young Republicans can play a major role in educating their communities on this important issue.

CAFETERIA PRICES FOR GENERALS

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. ASPIN. Mr. Speaker, I recently revealed that while Pentagon cafeteria prices continue to climb, Army generals can still gorge themselves of a sumptuous full-course meal for only $1.

The Star-News enterprising columnist, John Cramer, has discovered that the chief of the Army Materiel Command, Gen. Henry A. "Hank" Miley, has a similar mess operating at the AMC's new headquarters in Alexandria.

General Miley recently spent $12,000 to set up carpeting and to equip his 10th floor commanding generals mess.

Mr. Cramer compares cost of a full meal for the general at his mess—$1.70—to the same meal purchased by the ordinary civil servant in the regular AMC cafeteria at $3.67. Now, Mr. Speaker, a general makes at least $40,000 when all his benefits are added in. A secretary probably earns less than $10,000. Mr. Speaker, why is it that the highly paid general buys a cheap meal, while a secretary making four times less pays more than double for the same meal? I wonder what General Miley's answer is?

Mr. Cramer's article follows:

GENERAL MILEY'S MESS BEATS SECRETARY'S, $1.70 TO $3.67

(By John Cramer)

The milicrats do very nicely when it comes to lunching in style—cheaply and partly at taxpayer expense.

Take four-star Gen. Henry A. (Hank) Miley who bosses the big Army Materiel Command from new headquarters on Eisenhower Avenue in Alexandria.

Recently, he spent $12,000 (a one-time expense to the taxpayers but with continuing cost for lost office space) to set up, carpet and equip a 10th-floor Commanding General's Mess, seating 30 generals, colonels and top civilians.

He staffs it, full-time, with a warrant officer and four enlisted men (at continuing cost to taxpayers).

In Miley's mess, a cocktail costs 55 cents and a beer 50. In a first floor bar, called the Supply Room, where the working stiffs can buy a drink, a cocktail goes for $1.25 and a beer for 75 cents, though occasional "specials" offer lower prices.

Miley's mess has waiter service. The hired hands pay a premium for it if they eat in the Supply Room. Most elect an adjoining cafeteria, where all items are sold a la carte; no specials.

Lunch in Miley's mess still costs a flat $1.25, though official word is that it soon will go to $1.50. On any given day it offers a choice of two entrees.

So, just for fun, I took a typical entree from a typical Miley menu (Aug. 31) and priced the general's lunch at what his secretary would have had to pay had she bought the same items at price-controlled rates in the AMC cafeteria.

I assumed that both had a single pre-lunch cocktail—his at 55 cents, hers at $1.25—plus a modest 15-cent tip. Then, when the secretary moved next door to the cafeteria, she found herself paying:

Soup du jour: bean with bacon or jellied tomato madriline, 35 cents.

Ham and asparagus roll, with cheddar cheese sauce, 95 cents.

Southern style corn, 25 cents; hot roll, 10 cents; butter, 3 cents.

Lemon pudding, sherbet or ice cream, 25 cents.

Large coffee, 25 cents.

So, including a cocktail, Miley and company would end up paying $1.70 with waiter service. The secretary, with a 4 percent sales tax on $2.18 for her lunch, would pay $3.67. (No tax on a general's mess.)

Moreover, we can assume that the servings in the general's mess are fairly generous and not subject to the strict portion control typical of government cafeterias. We further can assume that it's permissible to ask for "seconds."

In fairness to the general, let it be said that executive dining rooms are common in both industry and nondefense U.S. agencies though never, ever staffed by military personnel.

In fairness, too, let it be added that Miley is something of a piker free-loader compared with other top brass in the area.

A later review in this column will report just how handsomely Pentagon milicrats lunch at taxpayer expense.

NATIONAL SECURITY: THE DOLLAR IMPACT

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. SPENCE. Mr. Speaker, since becoming a Member of Congress my primary interest has been national defense. I have devoted a great deal of time to studying the relative strengths and weaknesses of our military posture in the world, vis-a-vis the Soviet Union. As in the case of most of those who have troubled to research this complex subject, digging beyond the rhetoric for a close look at the facts, I have become alarmed. In my opinion, it is increasingly important that we somehow make the American people aware of what our country faces militarily.

Fortunately, among those who have taken the initiative in this area is an especially able colleague of ours, who is also a close personal friend. Congressman LARRY HOGAN has supplied a very effective and articulate voice to the one priority which transcends all others in importance—that of national security. I, for one, am grateful for LARRY'S efforts in this regard, and I know that millions of Americans share my respect and admiration for his vital work.

Recently, Mr. Speaker, Congressman HOGAN delivered an address which was exemplary of those outstanding contributions which I mentioned earlier. It is important that each of us has the opportunity to read and consider the points LARRY made in the speech he delivered before the national security symposium of the Reserve Officers Association on October 18, 1973. Therefore, I submit the address by Congress-

man HOGAN, entitled "National Security: The Dollar Impact," to be printed in the RECORD at this point:

NATIONAL SECURITY: THE DOLLAR IMPACT

(Address by Congressman LARRY HOGAN)

I want to talk today about the relationship between our economy and our military expenditures for national defense.

One of the most important upward pressures on inflation is, of course, government spending. Costs balloon when the federal budget rises, and the rising federal budget balloons costs still further. In 1960 we were spending less than one hundred billion dollars. Today we are spending over two and one-half times that amount. If we are to get a handle on rising prices, we will have to get a handle on government spending.

However, while virtually everyone extols the virtues of thrift, especially for Uncle Sam, specifically where the cuts should come is one of the most complex and difficult areas of deliberation which Congress faces.

One part of the budget that receives a great deal of attention, primarily because its size makes such a spectacular target, is defense spending. But it is our allocations for defense that deserve the most thoughtful and meticulous scrutiny of all, for our survival as a nation is at stake.

America is blessed with a very broad economic base that provides more goods and services to more people than any other nation in the world. Our gross national product is well over a trillion dollars. We could never have developed that kind of economic base and industrial capability if we had been weak. We have had both the ability and the resolve to protect our national interests.

Our ties to other nations grow more important all the time. Our trade in essential raw materials is growing. For some time we have looked overseas to get a large share of aluminum and manganese and tin. But now our own resources of all types of materials are diminishing, and we are blocking access to some of our other resources. In the immediate years to come, we will begin to import at least half of the iron, lead and tungsten we need. Petroleum imports are growing at tremendous rates.

The demand for petroleum is one of the most visible problems. If your gas station is closed when you run out of gas, or if you could get only ten gallons last time you wanted to fill the tank, you were feeling the pinch first-hand.

Last winter schools and factories in the midwest had to shut down from shortages of heating oil, and this spring farmers did not have sufficient fuel to dry crops. The worst might be yet to come.

The lesson that energy is an essential ingredient in our economy is not new, but it is being driven home with more force now than ever before.

Regardless of the arguable reasons for the shortages we face, one fact is clear: As our demand for energy escalates, our need for imported oil is going up with it. Domestic petroleum production has leveled off, exploration, for various reasons, is decreasing, but demand for energy in this country is growing at almost five percent a year. The shortage will largely be filled with oil, and the oil supply will have to come from the Middle East where Iran and the Arab States have the available reserves. We brought in only 4 to 8 percent of our total oil suply from the Middle East last year. By 1985 the share will have grown to 30 or 40 percent. If an oil tap that large were ever cut off, it would create more problems than a few motorists staying home on a vacation weekend. The economy might be mortally wounded.

At a time when our economic dependence on imported oil is increasing, potential threats that might deny access to that oil are increasing as well. The Arabs have just increased rates and indicated they intend to cut production.

Control of sea lanes by the U.S. Navy is no longer a foregone conclusion. The Soviet Navy has been growing by leaps and bounds to the point that Capt. John Moore, editor of the highly respected Jane's Fighting Ships, recently suggested that the Soviets have overtaken us as the number one naval power. They continue to build submarines and increase submarine construction capacity. Their fleet has now been expanded to include one deployed and at least one aircraft carrier under construction. The use of aircraft carriers is a wholly new area of sea control for the Soviet Union.

The presence of these ships and the Russian manned missile sites are not aimed at Israel but rather at our own fleet.

The size of the Soviet fleet is sobering but so is global reach. Their presence in the Mediterranean has been boosted to a complement of over 60 ships, and they are well established in the Indian Ocean. There is a clear possibility—and a dangerous one because of the location of the oil-rich Persian Gulf—that the Indian Ocean will become a private pond for the Russian Navy.

The existence of all those foreign ships does not necessarily suggest the likelihood of hostilities in the foreseeable future. But oil is so vital to our economy that we would be foolish to disregard the potential threat if our supply lines are cut off during some crisis.

Relaxed tension between the East and the West cannot assure our security, and this is not the time for our country to be lulled into the belief that a promising outlook for detente obviates the need to be strong militarily. I welcome better relations in the world, as everyone does, but I am also aware of the needs of national security and the importance of maintaining our strength. During a recent speech here on the Hill, the West German Defense Minister observed that there were not three different Soviet Unions, one with whom we have detente, one who is backing Arab nostilities and another in conflict with Red China, they are all one and the same.

Raw materials in general, and oil in particular, are not our only economic ties to the outside world. The interdependence of all nations has been growing steadily for years. Trade statistics reflect our own increased involvement. Six years ago the United States exported over thirty billion dollars in goods and imported a little more than 26 billion dollars in goods from other countries. Last year, five years later, the United States exported over 48 billion dollars and imported over 55 billion dollars in goods. This economic fact of life has a dramatic effect on our military posture.

Some effects of our trade have had highly visible impacts on the country: The wheat deal with the Soviet Union, imports of automobiles and cotton products from Western Europe and a variety of imports from Japan. Multinational corporations have grown in size and influence, and foreign direct investment in American domestic industry has increased suddently in the last year. This also has serious ramifications for our position in the world balance of power.

All of this points to growing economic interdependence in the world. Our economy is now very sensitive to the degree of cooperation, good relations, and support of our allies, and even our adversaries.

In spite of this, critics of defense spending want to make unilateral reductions in American manpower stationed abroad and cut back military support and assistance to weaker countries, as well as to reduce our weapon and hardware development and production. Nothing could do more to undermine the confidence of allies and raise questions about the integrity of American commitments and threaten our own security. You simply cannot implement that kind of policy in isolation. That is, you cannot alter sensitive security and military policy without affecting trade and monetary relations. Where such action might have been feasible years ago, today it works against the orderly progress of important negotiations and the general stability of international economic relations.

As an interesting side comment, many of those who have been the most vociferous foes of military spending are now clamoring for the shipment of more arms and planes to Israel. Apparently they don't see this as any way impractical or paradoxical.

The protection of trade relations is one area that requires us to spend money on defense. The economic consequences of *not* spending that money go far beyond the potential threat of trade disruption. Other consequences strike at the functioning heart of the domestic economy in a direct way.

The Defense Department is far and away the biggest business organization in the world. During the last fiscal year DOD employed a little over one million civilians and paid them twelve-and-a-half billion dollars. There are currently 2,350,000 men and women in uniform here and abroad. The economies of many sections in the country are intensely dependent on military installations. In any one area, removal of an installation, or part of it, would create an economic vacuum. (Again in the hypocrisy by many of those Congressmen who argued the loudest for military cutbacks, screamed the loudest when military bases in their congressional districts were closed.) But the point I'm trying to make that our domestic economy can be seriously delocated by defense cuts.

The effect of removing base functions and dock facilities from New England is devastating. Rhode Island estimates the loss and dislocation of over 25,000 jobs in a region where unemployment is already high. The direct payroll loss equals five percent of the state's total income, with secondary effects of lost local expenditures magnifying the impact. Massachusetts, also in the throes of unemployment, is being hit as hard. In other words if the defense worker has no money to shop in his local stores, those whose livelihood are dependent upon those stores are also dislocated.

Severe economic dislocations are even more likely to occur when funding reductions are made in military research, development and procurement. The impact of lost contracts for specialized industry creates pockets of economic depression around the country.

Over seven percent of the country's total work force is employed in defense. The proportion of defense-related employment in manufacturing is comparable to the overall seven percent ratio. There are also large numbers of defense-related employees in mining, transportation, communications and electronics.

At the peak of the Vietnam war, 1968, one-tenth of the work force was in defense in one form or another. Five-and-one-half percent of private business employment was involved in defense work. Three years later, total defense employment had dropped two-and-one-half percent, and defense-related employment in private business had dropped an incredible two percent to three-and-one-half percent.

Reduction of men in uniform because of the ends of our involvement in Southeast Asia, has put more men into the domestic workforce and this aggravates the unemployment problem created by defense cutbacks.

It is no coincidence that overall unemployment in the country rose a little more than two percent over the same period as defense spending decreased. The unemployment ills of the country in the last two or

more years have been closely tied to reduced government purchasing power in the defense field.

A particularly discomforting aspect of defense unemployment is its impact on highly skilled groups in the work force. Part of America's greatness is her reserve of skilled manpower, and our economy is rooted in the innovations and technological progress created by a broad base of scientists and engineers. Think of the automobile, the sewing machine, the jet engine, nuclear power, computers, or the laser. Breakthroughs like these hold together our complex economic structure. Let the reservoir of scientists dry up, let the expertise of engineers waste away, neglect the training of technicians, and the economy will stagnate.

Defense spending on research, development and procurement has a lot to do with the skilled manpower resources and industrial base for the economy as a whole. Defense industries support and provide the scientists that ultimately contribute to innovations in the civilian sector. Progress in defense technology spills over into useful benefits in non-military areas. Progress in one area is inseparable from progress in the other for industries such as aviation, communications, medicine and electronics. Communication satellites are one important example among many. The early exploration in this area was done by the Army Signal Corps. Since then, the work has expanded into a multi-million-dollar industry.

Take away defense contracts, and highly educated and experienced scientists and engineers are deprived of their jobs, with virtually no opportunity for similar employment. Only two years ago there were nearly 100,000 unemployed workers in the aerospace industry. This can have serious implications for the continued advance of aerospace technology and recruitment of young scientists into the field. Fortunately, many of the very large number of unemployed scientists are back at work, but not without a battle.

Take the B-1 bomber as an example. It is estimated that the 13.6 billion dollars gross investment in this system will generate a cumulative rise of 37 billion dollars in the gross national product. That means 60,000 aerospace jobs and 100,000 supporting jobs around the country. The tax revenue returned to our Treasury from the resulting incomes could be as much as seven billion dollars for the federal government and four billion dollars for state and local governments. In spite of that economic picture, the bomber has been a highly controversial project and has been threatened with cancellation more than once.

Just as we need to maintain a strong base of skilled manpower in the country, we also have to see that vital industrial capacity does not seriously erode from neglect.

There are a number of highly specialized industries in the country that depend on government contracts for their survival. As has become evident in recent years, they simply do not have the financial strength to carry enormous overhead costs, much less tool up for new projects on their own without government contract support.

The dangers of withdrawing that support over the long term are two-fold. First, we will undermine our basic industrial capacity. Industrial potential has been one of the pillars of America's greatness in facing crises. Its importance was clearly demonstrated in World War II.

Second, we will lose the technological edge that enables us to maintain a healthy trading position with other industrialized nations. This country has long been on the frontier of technology, and we are traditionally the leading exporter of sophisticated machines and equipment. The competitive edge will be quickly lost to Europe and Japan if we give our specialized industries no support. Without arguing the merits of the plane, that is exactly what we did by canceling the supersonic transport, a plane that is being produced now by England and France together. The balance-of-payments loss we suffer from canceling that project may prove to be very costly as well as the domestic employment.

Shipbuilding is a very good example of an area where defense spending is crucial. The nation has to have a strong merchant marine, particularly in this day and age. We need to carry imported oil and other products in our own ships as often as possible to reduce the outflow of American dollars. The demand around the world for tankers is growing at such a pace as to question whether enough ships will be available to carry our oil. There are 47 tankers under construction or on order in this country today. Without shipbuilding subsidies from the Federal Government, this industry would have disappeared long ago.

After 1966, private shipyard employment in the United States began to drop off. Employment in naval shipyards had already begun to fall by then. But now we have managed to turn that trend around, and our shipbuilding potential is being revitalized. Production is beginning to move again at a vigorous pace. We are still at a competitive disadvantage with Japan in shipbuilding, as in so many other areas.

Forty-eight percent of American shipbuilding is devoted to naval vessels, and the percentage is higher if one excludes non-self-propelled vessels such as oil drilling rigs. The defense budget, then, accounts for almost half of shipyard work. After revitalizing the industry, if we turn around and cut back on support now, the immediate impact will be layoffs and lost income. If the cuts are substantial, we will have to close many of the yards and forego any hopes of competing in world shipbuilding.

In looking for savings, we must be sure not to whittle away at the substance of defense programs. The distinction between fat and lean is often not made, and criticism is too frequently directed at defense spending in general—across the board. The reason is not because particular items in the budget are unnecessary, but because the budget, on the whole, seems so large. Those large figures need to be put into perspective.

Inflation has created distortions in defense spending. If we look at recent budgets in terms of constant dollars, the squeeze between demands for drastic cuts and the demands for an adequate defense becomes evident.

While critics call for a reduction in the military budget and a reordering of priorities, the fact is that since 1968, defense spending has gone down by 34 billion constant 1974 dollars, and other federal spending has gone up by 50 billion constant dollars. In fact, defense spending is down by ten percent, again in constant dollars, since fiscal year 1964. That was before we became deeply enmeshed in the Indochina war. Were it not for the dramatic rise in costs associated with increased military wages, retirement and fringe benefits, and were it not for inflation, defense spending would be much smaller than it appears.

Indeed it is reasonable to ask: Is the level of defense spending today too small? Inflation has dangerously affected the kinds and numbers of weapons we buy today and most drastically, those we need to develop and improve. As costs rise and real purchasing power diminishes, it may be that we spend too little on defense rather than too much.

Suggestions to cut military spending even further may be motivated by a desire to hold down the federal budget and fight inflation, but the result would do a great deal more harm than good. Harm would be done not only to the military security of the country, but also to the economy. What is penny wise is often pound foolish. We can only be as healthy economically as we are strong militarily. This fact must not be forgotten.

The economies of Japan and Germany were rebuilt at such a staggering rate because they did not have to spend money for military defense. They concentrated on profitable industries while sheltered under our very protective defense umbrella. Clearly economy and defense are inextricably entwined and established.

MAJ. GEN. CHARLES CARMIN NOBLE

HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. LONG of Louisiana. Mr. Speaker, during the great Mississippi River flood of 1973, the people of Louisiana and the entire lower Mississippi Valley came perilously close to disaster. During this period the Nation's largest river reached levels in Louisiana and throughout other valley States, not previously experienced during the lifetimes of many of the residents.

Our flood this year was the third greatest flood of the century. Only the floods of 1927 and 1937 crested at higher levels. The threat posed by these waters was far-reaching and severe. But the human suffering and loss was substantially lower than in the previous floods. By way of comparison, approximately 40 deaths were attributed to the flood this year; in 1927 the death toll was 216. During the flood period last year, some 40,000 persons were evacuated from their homes, all in an orderly manner. During the flooding of 1937, more than 800,000 persons had to leave their homes, many of them literally fleeing for their lives.

One may ask, "Why this striking difference?" I believe that the difference is that this year we had both an effective flood control system and a man who was so capable and so determined that he was going to make the system work, complete or not.

To fully appreciate the contribution of this man, we must trace the development of the situation beginning before the flood waters ever began to rise.

The residents of the lower Mississippi Valley had not experienced a major flood since 1945. Many different groups, for a variety of reasons, felt that the need for new flood control construction was not pressing. Floods were felt to be a thing of the past. Those who most depended on an effective flood control system, had been lulled into complacency by the uneventful course of recent history.

Fortunately for the residents of the lower Mississippi Valley, the President of the United States, acting at the request of the U.S. Army, had in 1971, appointed a distinguished engineer and soldier, Maj. Gen. Charles C. Noble, to serve as president of the Mississippi River Commission. Furthermore, Major General Noble would also serve as division engineer for the lower Mississippi Valley Division. As an experienced engineer, General Noble realized that floods continued to pose a major threat to the people of the Mississippi Valley. As unusually

heavy rains fell throughout the vast drainage system of the Mississippi River, he began to prepare for a major flood.

In speeches throughout the State, he warned that conditions were ripe for a major flood during 1973. He stated before a committee of the Louisiana State Legislature "I am paid to worry, so I am worrying," awoke the minds of many to the danger at hand. But, General Noble did more than worry. He was responsible for protecting the lives and property of millions of American citizens along the length of the lower Mississippi River, and he began to act to carry out that responsibility.

He began by pressing ahead with a divisionwide, flood fight exercise scheduled for the spring of 1973. In order to make the exercise as realistic for the military as for civilians, he directed that members of the levee boards and other local agencies be invited to fully integrate their activities with the Commission's plans. The feedback and the sense of involvement generated by this civilian participation strengthened the overall flood control program.

In other areas, General Noble began preparatory actions, often against the backdrop of harsh criticism. These actions were based on his concern for the residents of the Mississippi Valley whom he was sworn to protect. He knew that every effort must be made to provide the maximum possible protection to those threatened by flooding. After careful study he came to the conclusion that the existing plan for flood protection in the lower valley, the M.R. & T. project, was basically sound. This plan, expressing the intent of the Congress and the best thinking of engineers familiar with the flood protection system, would form the foundation for his decisions in the days ahead. Although the M.R. & T. project was less than half completed, General Noble had to make it as effective as possible against the flood he believed was soon to come.

From December through June, General Noble was up and down the more than 1,200 miles of the swollen river. He led the preparations for the flood in cities and towns throughout the valley. City officials and private citizens alike benefited from his advice and assistance. He kept in constant communication with local directors in areas all along the river. By keeping abreast of what was going on and what was needed, he was able to make the necessary rapid decisions that often meant life or death. He was determined that every possible effort be made to protect lives and property.

I do not believe that it would be an exaggeration to say that General Noble's efforts were a major factor in our victory over the river. His professional competence and unquestioned integrity provided the sound decisions and the responsible leadership necessary to meet the crisis. Hard decisions, in an atmosphere of conflicting pressures, had to be made to make the plan work. In these decisions, he proved time and time again that his sole desire was to protect the residents of the valley area in accordance with the adopted plan. No sign of personal enrichment or desire for personal recognition ever colored his actions. His accomplishments, far above the call of duty, clearly mark General Noble as deserving of the highest honors this Nation can bestow.

It is ironic that at this time of highest recognition, Maj. Gen. Charles Noble is being forced to retire before the end of a normal 4-year tour of duty as president of the Mississippi River Commission. As a result of being passed over for promotion to the grade of permanent major general, General Noble will be forced to retire in August of 1974, instead of September of 1975.

Recent events clearly show that the people of the lower Mississippi Valley would be poorly served by the forced retirement of this valuable officer. He is the driving force behind the program to repair the damages to the flood control system resulting from the recent flooding. Furthermore, programs under his direction are modernizing the existing system and increasing its overall effectiveness. The successful completion of these repair and construction programs requires the unique blend of determination and experience that only General Noble can provide.

Mr. Speaker, it is my sincere hope that the next selection board considering promotions to the grade of permanent major general will favorably act on Charles Carmin Noble. In the event that the board should fail to act, I hope that the President, upon appropirate recommendation from the Secretary of the Army, would grant an extension of service for this dedicated and distinguished public servant. The people of Louisiana and the entire lower Mississippi Valley need the services of Major General Noble for the full 4-year term.

RESOLUTION ON COMPILATION OF EVIDENCE

HON. IKE F. ANDREWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. ANDREWS of North Carolina. Mr. Speaker, when the House reconvenes next week, I shall introduce a resolution directing the Committee on the Judiciary to prepare a compilation of information and evidence tending to prove or disprove the commission of any act by Richard M. Nixon which amounts to an impeachable offense.

I am including this resolution in the RECORD, prior to introducing it, for consideration by my colleagues and invite any who wish to do so to join in cosponsoring it:

A resolution directing the Committee on the Judiciary to prepare a compilation of information and evidence tending to prove or disprove the commission of any act by Richard M. Nixon which amounts to an impeachment offense

Whereas, in recent months allegations have been made with respect to the possible commission of impeachable offenses by Richard M. Nixon with respect to his campaign for election to the office of President in 1972 and his conduct of the office of President; and

Whereas, such allegations have created a situation of utmost national gravity and have led many citizens to request that the House of Representatives consider the initiation of impeachment proceedings; and

Whereas, the Committee on the Judiciary has begun an investigation with respect to impeachment proceedings; and

Whereas, Members of the House of Representatives should have access to and be able to assess any information and evidence which assist them in the dispassionate and thorough performance of their functions in any impeachment proceedings; and

Whereas, information and evidence are presently available from various sources, including the Department of Justice, the Federal Bureau of Investigation, the Senate Select Committee on Presidential Campaign Activities, news periodicals, and individuals, but there is no central source of information and evidence which may be used by Members of the House of Representatives; and

Whereas, it is important that there be made available to Members of the House of Representatives a central source of information and evidence tending to prove or disprove any allegation made with respect to the conduct of Richard M. Nixon: Now, therefore, be it

Resolved, That (a)(1) the Committee on the Judiciary (hereinafter in this resolution referred to as the "committee") shall, as a whole or through any subcommittee of the committee, conduct research and prepare a report based upon such research which compiles, categorizes, and indexes information and evidence tending to prove or disprove the commission of any act by Richard M. Nixon which may amount to an impeachable offense under section 4 of article II of the Constitution of the United States.

(2) Such report shall include a reference to any provision of Federal or State law violated by any such act and the penalty imposed for violation of such provision.

(3) In conducting such research and preparing such report, the committee shall, with respect to the alleged commission of any impeachable offense, determine those allegations on which to obtain evidence and to include in the report. The committee shall provide Richard M. Nixon with an opportunity to respond to any such allegation in any manner he deems appropriate. The committee shall include any such response as part of its report, except that such inclusion shall not delay the committee in completing such report.

(b) The committee shall, as soon as practicable, furnish to Richard M. Nixon and to each Member of the House of Representatives a copy of the report prepared by the committee under subsection (a).

A BASIS FOR PEACE

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. SEBELIUS. Mr. Speaker, throughout the past few years there has been fighting in the Middle East and now with the latest outbreak of war there we must look for a lasting solution to the situation between the Arabs and the Israelis. A distinguished editor in Kansas, Whitley Austin, offered his solution in an editorial in the Salina, Kans., Journal on October 11 and I would like to commend it to the attention of my colleagues:

A BASIS FOR PEACE

What could be the basis of peace in the Middle East?

After listening to both sides in the past as a reporter on the spot, I am convinced there are 2 essentials. The pride of the Arabs must be restored and Israel must be secure as an established nation.

Jerusalem, the Israeli declare, is not negotiable. They have developed it as their capital to the point that the city can not be internationalized. But because it contains the Dome of the Rock, a holy place for Moslems, the right of free access and worship for Arabs must be zealously protected.

The Palestinian refugees should be compensated for their seized lands and that long-festering wound healed.

To feed themselves, the Israeli probably must keep the Jordan valley west of the river. But the Golan Heights are chiefly of military significance. Some concessions here must be made to Syria provided it is agreed boundary lines are to be respected.

As for the Sinai, the keys are the Suez canal and Sinai oil. The Egyptians should have it back. But the Israeli also should have the right to use the canal and they should be assured of a continued oil supply, not only from Iran, their present major source, but also from Saudi Arabia.

Fold this into your Book of Genesis and see if the settlement is not along these general lines, if, indeed, the rival sons of Abraham can ever reach agreement.

THE FORD NOMINATION

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. LENT. Mr. Speaker, I noted with interest an editorial which appeared in the October 25 Washington Post, which urged rapid action on the nomination of Representative GERALD FORD as Vice President. The 25th amendment was adopted to insure continuity in the executive branch of Government, and the letter and the spirit of that amendment demand prompt action on the Ford nomination. I include the text of the editorial in the RECORD at this point:

THE VICE-PRESIDENTIAL VACANCY

Every political crisis produces, among other things, a rash of ill-considered statements. By way of illustration, consider the suggestion, now being widely offered, that the Congress should delay action on the nomination of Rep. Gerald R. Ford to be Vice President. There have been arguments that Congress has no obligation to take up a nomination made by a President who faces possible impeachment proceedings. There has been talk of holding Mr. Ford as a hostage for better behavior by the President. There is the possibility—which some apparently find quite tantalizing—that the congressional Democrats, by failing to confirm Mr. Nixon's nominee, could engineer the elevation of one of their own, House Speaker Carl Albert, to the presidency if Mr. Nixon should be unable to complete his term—and thus sweep their party into a position of power it could not come even close to winning in last year's election.

The first point to note about this entire approach is that Speaker Albert quite properly is having none of it. Mr. Albert said Tuesday that the House should act on the Ford nomination quickly and that a new Vice President should certainly be confirmed before formal impeachment proceedings, if any, are begun against the President. The Speaker's concern is doubly understandable because events have placed him in a very awkward spot. As long as the vice-presidential vacancy remains, Mr. Albert faces the prospect of having to play a leading role in impeachment proceedings which could put him in the White House. Similiarly, as long as his nomination is pending. Mr. Ford has such an intense and involved personal stake in the proceedings that it would, in fact, be fitting for him to take himself out of any argument over impeachment—rather than lead the defense of the President in the House, as he is now doing.

The situation is doubly entangled in the House because the Judiciary Committee must deal with not only the Ford nomination, but also the impeachment investigation and the issue of a special prosecutor. In contrast, the Senate Rules Committee is not overburdened and should be able to process the nomination expeditiously. It would be useful for the Senate to take the initiative—and to take its lead from majority whip Robert C. Byrd's statement the other day that the nomination should not be held up, but should "rise or fall" on Mr. Ford's own qualifications for the vice-presidential post.

Such calls for prompt action reflect a sound understanding of the obligations imposed on Congress by both the 25th Amendment and the current low state of political affairs. In political terms, the last thing that the country wants or needs is any more distress, disunity and narrow partisanship. All this would certainly result from an attempt to hold the nomination of Mr. Ford as hostage, either to Mr. Nixon's future performance or in anticipation of the President's impeachment. Moreover, it would be profoundly wrong—and probably self-defeating as well—to try to turn impeachment into a congressional coup d'etat which would install a Democrat in the White House. That would be precisely the sort of cynical, exploitative abuse of power which the American people are now reacting so strongly against.

In contrast, there are large national benefits in the course which Speaker Albert advocates—the prompt completion of the investigations, the hearings, the committee reports, the floor debates and the votes in both houses on the nomination of Mr. Ford. Settling the issue of succession would remove one source of public uncertainty. It would also demonstrate that the Congress can perform responsibly at a time when a sense of responsibility is a precious commodity in public life.

Prompt action on the nomination also happens to be the only course which satisfies the letter and spirit of the 25th Amendment. The whole intent of Section II of that amendment is to insure that the nation will almost always have a Vice President—someone chosen specifically for that particular job, and able to bring both a reasonable degree of competence and some measure of continuity to the presidency if called on to assume that post. In other words, Section II of the amendment was approved so that the Speaker of the House would *not* henceforth be next in line to become President, except if an almost unthinkable disaster should remove both President and Vice President simultaneously from the scene. This reform acknowledged the fact that Speakers of the House, however able and experienced, are elected for a different job by a different, smaller constituency and sometimes, as now, by the opposition party.

Those who favor blocking the nomination of Mr. Ford, and keeping Speaker Albert next in line, are thus urging a course which Congress and the states specifically repudiated by approving the 25th Amendment. They are also pressing a course fraught with the most dangerous kind of political mischief. It is interesting to recall that the possibility of such perilous partisan sport was discussed during the Senate floor debate on the 25th Amendment in 1956. Then-Sen. Ross Bass (D-Tenn.) suggested that a Congress controlled by the opposition "would have much more of a problem in confirming the recommendations of the President if we knew . . . that one of our own people would go to the job next." The situation, Senator Bass said, "becomes a political bomb." To this Sen. Birch Bayh (D-Ind.), floor leader for the amendment, replied:

"I have more faith in the Congress acting in an emergency in the white heat of publicity, with the American people looking on. The last thing Congress would dare to do would be to become involved in a purely political move."

It is up to Congress to show that such faith was justified.

TIME TO CHANGE WAY WE CHOOSE OUR VEEPS

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. ESCH. Mr. Speaker, in recent days, I have been pointing out the urgent need for the major political parties to change the system of selecting Vice-Presidential nominees. Certainly the woes that befell Democrats in 1972 and Republicans this year provide ample evidence that reforms must be instituted before the 1976 Presidential election.

I recently wrote Chairman George Bush, of the Republican National Committee, to express my concern. He has informed me that the reactivated Coordinating Committee will consider the question of the nominating process for Vice President. In addition, the Democratic Party's Commisison on Vice-Presidential Selection will meet in Washington on November 7 to examine ways to reform that party's method of selecting Vice-Presidential nominees.

It is time all of us take a close look at the pitfalls in the current system. Candidates for Vice President can be nominated without even a cursory check of their qualifications. The stakes are too high for that kind of arrangement since eight Presidents have died while in office.

I have provided for the RECORD some of the editorial comment given the various alternatives proposals. The following editorial from the Ann Arbor News on October 19 offers still another point of view:

FROM OUR POINT OF VIEW: TIME TO CHANGE WAY WE CHOOSE OUR VEEPS

The Eagleton and Agnew affairs have demonstrated the haphazard way in which this country chooses the number two person in government. This makes two times in a little more than a year that the second man on the ticket has had to get off.

Theodore White, in "The Making of The President 1972," says that the way Americans choose Vice Presidents has always been absurd.

For 17 of the past 27 years, writes White, America had been governed by Presidents who made their entry to that office from the Vice Presidency. Yet the choice for that office "is the most perfunctory and generally

the most thoughtless in the entire American political system."

That's probably no exaggeration. Spiro Agnew was the foundation stone of Nixon's southern strategy in 1968. Southern leaders such as Sen. Strom Thurmond objected to Lindsay, Percy and Reagan, among others. In the end, only Agnew and Gov. Volpe of Massachusetts were acceptable.

McGovern picked Eagleton for the normal reasons (balancing the ticket, photogenic qualities) but also in fatigue at a late hour. His background wasn't properly researched, with the result that he had to step down from the ticket weeks later when it was learned that he had a history of mental illness.

And so it goes. John F. Kennedy passed by all the logical choices and picked Lyndon Johnson because Texas was vital and he needed Johnson for the election. Eisenhower picked Nixon in 1952 on the basis of staff recommendation—or so Theodore White claims.

There ought to be a more rational system of selecting a presidential running mate. This office is simply too important for an individual to be chosen on political expediency. His selection ought not be an afterthought, the anticlimactic event in a heavy schedule for tired conventioneers.

He is often a sop to the presidential nominee's defeated party rivals. Americans need the chance to scrutinize vice presidential hopefuls; they don't have that chance now. Presidential nominees pick running mates not on the basis of philosophical compatibility, but to reconcile defeated party factions. The result is often a vice presidential nominee at odds with the presidential nominee himself.

It's time to change all that. One possibility would be for candidates to announce for the office of Vice President and actively campaign for that office before the conventions. That way, press and public would have a chance to look the man over. Letting Congress pick the Vice President, as some today are proposing, doesn't seem to be any improvement over the present "catch as catch can" method.

FEDERAL ASSISTANCE TO COLLEGE STUDENTS—PART II

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. LEHMAN. Mr. Speaker, despite the recommendations of the Council for Economic Development and the Carnegie Commission that tuition at institutions of higher education should be increased, the word I get from my constituents is that tuition is already high enough, and in fact, is getting out of reach for the middle income family.

Financial assistance thus becomes a necessity, and I would like to share with my colleagues a letter which I recently wrote to Commissioner Ottina, and his reply, regarding the outlook for the next school year on Federal aid to students.

The letter and reply follows:

SEPTEMBER 27, 1973.

Hon. JOHN OTTINA,
Commissioner, Office of Education, Department of Health, Education, and Welfare, Washington, D.C.

DEAR COMMISSIONER OTTINA: I am now in the process of preparing an information package for high school seniors regarding Federal assistance programs for post-secondary education.

I have attached a list of some specific questions relative to this, and would appreciate any answers you might provide.

With best wishes, I am

Sincerely,

WILLIAM LEHMAN,
Member of Congress.

BASIC EDUCATIONAL OPPORTUNITY GRANTS

1. Will BOGS grants for the 1974 school year be restricted to freshmen attending school full-time, who did not attend a post-secondary institution prior to July 1, 1974?
2. When should students apply?
3. What will be the size of grants awarded, generally?

GUARANTEED STUDENT LOANS

1. When should students apply:
2. Who may qualify for an interest-subsidized loan?
3. What will be the size of loans awarded?
4. What is the allowable cumulative total for Florida?

SUPPLEMENTARY EDUCATIONAL OPPORTUNITY GRANTS

1. When should first year students apply?
2. When should upper classmen apply?
3. What is the cumulative total that may be granted for four years of study? For five?
4. What percentage of these grants have gone to students with family incomes of less than $10,000 per year? Of less than $7000 per year?

COLLEGE WORK-STUDY

1. When should first year students apply? Upper classmen?
2. What is the average annual compensation?
3. What is the range of wages which may be paid?
4. What percentage of the work-study jobs have gone to students with family incomes of less than $10,000 per year? Of less than $7,000 per year?

NATIONAL DIRECT STUDENT LOANS

1. When should first year students apply? Upper classmen?
2. What is the total cumulative loan allowable?
3. What percentage of NDSL loans have gone to students with family incomes of less than $10,000 per year? Of less than $7,000 per year?

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., October 19, 1973.

Hon. WILLIAM LEHMAN,
House of Representatives,
Washington, D.C.

DEAR MR. LEHMAN: Thank you for your letter of September 27, concerning the information package about the Federally sponsored student financial aid programs which you are preparing for high school seniors. In addition to responding to the questions in the attachment to your letter, I am enclosing a recently published fact sheet describing these Federal programs.

BASIC EDUCATIONAL OPPORTUNITY GRANTS

At the present time, the extent of the 1974–75 recipient population for Basic Grants and the size of the grants are dependent upon the amount ultimately appropriated for the program. Since the amount stated in the President's budget and that proposed in the House and in the Senate differ substantially, any comments on your first and third questions about Basic Grants would be highly speculative. The Basic Grant applications for the 1974–75 academic year are expected to be available in February 1974. Students should apply as soon as the forms become available.

GUARANTEED STUDENT LOANS

To insure that the student has funds in hand at the appropriate time, we suggest that he initiate the application process for a Guaranteed Student Loan about three months prior to the time he will need the money to meet his educational costs. Any student who demonstrates a need for the funds to meet his educational costs according to a need analysis performed by the financial aid officer at his college and reviewed by the lending institution may qualify for interest benefits. A student may borrow up to $2,500 per academic year from a lender in Florida if his educational costs require borrowing to that extent. Total loans outstanding may not exceed $7,500 for undergraduate or vocational students. This maximum may be extended to $10,000 for students who borrow for graduate study.

SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS, COLLEGE WORK-STUDY EMPLOYMENT, AND NATIONAL DIRECT STUDENT LOANS

These three Federal student financial aid programs are college-based, i.e., the participating institutions receive the Federal program funds and award them to their needy students in accordance with applicable law, regulations, and guidelines. Each institution establishes its own deadline for receipt of applications and publishes that date in its catalogue. Both first year students and upper classmen should apply to the financial aid officer at their college or university before the institution's published deadline date.

A supplementary Educational Opportunity Grant may range from $200 to $1,500 per year. and cannot exceed one-half of the student's financial aid package. The SEOG may be received for up to four years of undergraduate study However, it may be received for a fifth year when the course of study requires the extra time. The total that may be awarded is $4,000 for a four year course of study or $5,000 for a five year course.

Wages paid under the College Work-Study Program may range from the current minimum of $1.60 to $3.50 per hour. The current projection of average annual compensation under the program is $580.

The cumulative amount a student may borrow under the National Direct Student Loan Program relates to the number of years of study the student has completed:

(a) $2,500 if the student is enrolled in a vocational program or if he has completed less than two years of a program leading to a bachelor's degree.

(b) $5,000 if the student is an undergraduate who has already completed two years of study toward a bachelor's degree. (This total includes any amount the student borrowed under NDSL for undergraduate study.)

(c) $10,000 for graduate study. (This total includes any amount borrowed under NDSL for undergraduate study.)

Data on the percentage of these three forms of assistance that has been awarded to students from specific family income levels are set forth below. Unfortunately, 1970 is the most recent year for which this information is available. Data for 1971 and 1972 are still being processed for computer analysis, and data for 1973 are currently being submitted by participating colleges and universities. The family income categories on the annual institutional Fiscal Operations Report are not divided at $7,000 and $10,000 as would be necessary to provide the percentage distributions you requested. There are divisions, however, at $9,000, $7,000, $6,000, and $3,000. Since Fiscal Year 1974 is the first year of operation for the SEOG Program, data are shown below for its predecessor, the Educational Opportunity Grants Program.

[In percent]

	National defense student loan	College work-study	Educational opportunity grants
0 to $2,999	22.2	27.4	31.0
$3,000 to $5,999	25.8	29.3	41.7
$6,000 to $7,499	13.9	14.8	15.2
$7,500 to $8,999	12.1	11.2	7.9
$9,000 and over	26.0	17.3	4.2

I hope you will find this information helpful. If I can be of further assistance. please do not hesitate to let me know.

Sincerely,

PETER P. MUIRHEAD,
Deputy Commissioner for Higher Education.

THE VICE PRESIDENT'S RESIGNATION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks I submit the following:

THE VICE PRESIDENT'S RESIGNATION

(By Congressman LEE HAMILTON)

In another stunning development in the most tumultuous year in modern American politics, Vice President Agnew's resignation, after he admitted evasion of federal income taxes, startled and saddened the nation.

My first reaction to this unprecedented personal and national tragedy was compassion for the former Vice President and his family, regardless of the actions which caused his resignation. There is no joy and no cause for celebration in seeing a man crash down from the nation's second highest political office to a convicted felon.

In my view the Vice President's action was appropriate. It avoided the peril to the nation of having a Vice President under indictment and involved in lengthy court proceedings, and as Mr. Agnew has acknowledged, the American people deserve a Vice President who commands their unimpaired confidence and trust. The 40-page summary of evidence against Mr. Agnew prepared by the Dept. of Justice described a decade of activity by Mr. Agnew, from County Executive in suburban Baltimore County to Vice President of the U.S., during which he received cash in envelopes, kickbacks and payments from engineers and businessmen who wanted government business. The settlement of the Agnew case may not be a triumph of justice, but it represents an acceptable solution to an unprecedented case, in which the claims of justice, politics, and the Constitution were inextricably mixed. The Vice President avoided jail, which the federal judge in the case acknowledged would be the ordinary sentence for the crime, but the public interest of removing a Vice President under criminal indictment was served, as was the political interest of the President.

The news of the Vice President's resignation also gave me a sense of depression. At a time when the American people have experienced so many disappointments and disillusionments that their confidence in their political leaders and institutions is at a low ebb, Mr. Agnew's resignation is yet another staggering blow to millions of decent, honest and much put-upon Americans who want desperately to believe in the integrity of their high officials. Whether you agreed with Mr. Agnew or not, many Americans did believe in him, considered him their champion, and saw in him an extraordinary politician, purer and better than other politicians. Their cynicism and suspicion of American politics can only be reinforced by the fall of the man who was the preeminent American spokesman for law and order and attacker of permissiveness.

His resignation raises all sorts of difficult questions. Did he receive favored treatment and avoid a jail sentence because of his high office? And, if he did, will Americans believe that the law falls with equal application on the powerful and the powerless? What about the process by which Vice Presidents are selected? How is it possible that the process failed to reveal so obvious a pattern of corruption? Do all politicians, as the cynics insist, really take payoffs? How can we really remove the taint of money from the political process? Can we really believe any politician?

I am hopeful that the former Vice President's resignation will prompt further efforts in the Congress to improve campaign practices and procedures for selecting Vice Presidents, and provide all of us in government with a new determination to give the people integrity in government. It is that quality, above all others, that I think the American people now want in their government.

The immediate task of the Congress is to act with care and dispatch in confirming the President's nomination of Congressman Gerald Ford of Michigan as Vice President. Under the 25th Amendment to the Constitution, the Congress has an obligation to examine fully Mr. Ford's competence, not only for the responsibilities of the Vice Presidency, but for the more important ones he would assume if he became President.

Although I experienced some misgivings about the festive spirit surrounding the President's announcement of Mr. Ford, and thought that since it followed immediately upon the tragedy of the resignation, the occasion demanded a serious and restrained atmosphere, Mr. Ford is a popular choice in the Congress, and, barring unforeseen developments, I expect to join a majority of my colleagues in confirming his selection.

A UNIQUE INNOVATION IN CORRECTIONS REFORM

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. BADILLO. Mr. Speaker, one of the most frequent complaints I receive from inmates in both State and Federal correctional institutions, as well as from groups seeking prison reforms, is the lack of adequate or meaningful educational programs. The failure of prisons systems in general to provide proper educational programs which will prepare the offender with substantive and useful training is often one of the basic causes for various disturbances which occur from time to time. There is little question, but that some affirmative action in this critical area is long overdue and that steps must be taken at all levels in the corrections field to correct what are frequently inadequate education programs.

A very large percentage of prison inmates are uneducated and unskilled. Often they are unable to secure even a basic education or usable skills during their confinement and, upon their release, they are frequently unable to find employment or some type of rewarding work. This is one reason why the rate of recidivism continues to remain at high levels.

In recent years there have been some very laudable and successful efforts to provide worthwhile education to prison inmates and, in a few States—Texas, Illinois, and Connecticut—full-fledged, separate school districts have been established for prisons and these institutions thereby are able to benefit from Federal and State educational assistance programs. Shortly after the Attica tragedy, I proposed that the State of New York undertake such a program and create a separate school system specifically for the corrections system. It has a number of important advantages in terms of having the ability to provide good educational services to prison inmates. Regrettably, action has never been taken on my proposal.

Nevertheless, the State of New York has launched what is probably one of the most unique corrections education programs in the country—the establishment of a new State college solely for prison inmates. The New York State Department of Correctional Services and the State University of New York are developing plans to create a college—to be located at Bedford Hills, N.Y.—in which both male and female prisoners will study on a full-time basis toward 2-year liberal arts or science degrees.

I commend both the Department of Correctional Services and the State University of New York for their efforts to undertake this very innovative and worthwhile effort and hope that the proposal can be implemented at the earliest practicable date.

In order that our colleagues may learn more about this proposal I insert, for inclusion in the RECORD, an article from yesterday's New York Times and a joint news release from SUNY and the Department of Correctional Services:

[From the New York Times, Oct. 24, 1973]

COLLEGE FOR PRISONERS DUE IN 1974

(By Gene I. Maeroff)

The establishment of a new state college at which all of the students will be prison inmates is expected to be approved this morning by the trustees of the State University of New York.

Officials of the State University and the State Department of Correctional Services believe that the fully accredited, two-year college for men and women at Bedford Hills in Westchester County would be the first of its kind in the country.

The project is subject to the approval of the State Board of Regents and the Governor Dr. Ernest L. Boyer, chancellor of the State University, and others think there will be no obstacles to that approval.

Except for a few prisoners performing supportive services, only inmates who will be full-time students at the college are expected to be assigned to the prison. The tentative name of the institution is the State University Community College at Bedford Hills and it is to open next year, perhaps as soon as February.

COCHAIRMEN FOR TASK FORCE

Dr. Timothy S. Healy, vice chancellor for academic affairs at the City University of New

York, is taking a leave of absence to be co-chairman of a task force to plan the college.

Informed sources say that Dr. Healy, a Jesuit priest and former vice president of Fordham University, will become the first president of the college, though such an announcement has not been made.

The other co-chairman of the task force will be Edward W. Elwin, deputy commissioner for program services in the Correctional Services Department.

"This is an attempt to make serious the business of rehabilitation," Dr. Boyer said. "The college will have a liberal arts curriculum because the prison system already has vocational programs and the problem is not so much to prepare inmates for jobs as to educate them in the broader sense and give them a better self-image."

In a joint statement, Dr. Boyer and Peter Preiser, the Correctional Services Commissioner, said "We believe the proposed programs will make it possible for more prisoners to move back into society and lead productive lives."

The Bedford Hills Correctional Facility closed its men's division for renovation last April. It is proposed that the institution be reopened as the combination prison-college with 150 to 200 inmates.

In addition, according to spokesmen, 50 inmates at the neighboring women's division of the Bedford Hills Correctional Facility will be enrolled in the college. About 350 women are confined in the prison, which is the only one for women operated by the state.

Mr. Elwin said that the men prisoners at Bedford Hills would be selected from among the 13,000 confined at facilities throughout the state. An inmate-student will have to have a high school diploma or an equivalency certificate, which can be earned through the prison system's educational program. Classes for men and women will be separate at the beginning, Dr. Boyer said, with the professors going back and forth between the two facilities.

Prisoners who become students will have sentences ranging from a year to life and will be eligible to participate regardless of the offense for which they were convicted.

Pending approval of the State Legislature, the educational costs of running the institution will be paid by the State University and maintenance will be borne by the Department of Correctional Services.

Students will not be charged tuition, making the college the only tuition-free unit within the State University. Students will be able to earn up to an associate degree and will be guaranteed the right to transfer their credits to other colleges in the State University after their release from Bedford Hills.

"Arrangements are also being made with the City University for transfer provisions," Dr. Healy said. "This is important because the vast majority of the prisoners are from the city."

The decision to start the college apparently grew out of the studies undertaken to improve the prison system following the uprising at the correctional facility in Attica in September, 1971, in which 43 persons died.

Besides planning the college, the task force will also study educational opportunities in all 24 of the state's correctional facilities and recommend how best to build a "feeder system" for assigning students to Bedford Hills.

ESTABLISHMENT OF A COLLEGE FOR INMATES

ALBANY, October 24.—The State University of New York and the Department of Correctional Services are exploring the establishment of a college for inmates to be located at the Department's complex at Bedford Hills.

Chancellor Ernest L. Boyer and Commissioner Peter Preiser today announced that the proposed college, the first of its kind in the nation, would make it possible for both men and women to engage in full-time study toward a two-year degree in liberal arts or science.

In addition, the University and the Department of Correctional Services announced establishment of a joint task force to conduct a thorough study of higher educational opportunities in the 24 different correctional facilities of the State.

Co-Chairmen will be Dr. Timothy S. Healy, City University of New York's vice chancellor for academic affairs, who will join State University, and Edward Elwin, deputy commissioner for program services in the Department of Correctional Services. They will be assisted by other educators and correctional personnel.

In a joint statement, Dr. Boyer and Commissioner Preiser said:

"The time has come to introduce a bold new educational concept for qualified inmates to improve the prospects of rehabilitation in the correctional system.

"We anticipate a program of education which will lead to a degree and also provide opportunity to transfer to a baccalaureate program upon release.

"We're convinced such a college program and a carefully coordinated program of supporting educational activities at other correctional facilities will benefit society at large as well as the inmates involved. We believe the proposed prorgams will make it possible for more prisoners to move back into society and lead productive lives."

Chancellor Boyer emphasized that the college at Bedford Hills, about 40 miles north of New York City, would be a unique experiment—a correctional facility which also serves as a separate campus—and would supplement the wide range of credit and occupational courses currently offered by State University at seven of New York State's correctional facilities.

Initially, the college would offer Associate in Arts and Associate in Science programs to 250 inmates. The task force would develop methods of selecting qualified students from the statewide inmate population.

Classes for 200 males would be conducted in an existing but presently unoccupied facility at the Bedford Hills complex which would be refurbished to provide classroom and living space. Another 50 female inmates would receive instruction in the adjacent facility which they presently occupy.

Year-round operation is anticipated, possibly through a four-quarter calendar. Operational and facilities modification costs are being developed, and will be shared by the University and Correctional Services.

The joint task force will work toward a network of programs which would draw upon the statewide higher education resources of the University. The programs would build upon the instructional activities now offered by the State University at six New York State correctional facilities and provide a "feeder" system for new students at the college at Bedford Hills as classes graduate.

Chancellor Boyer and Commissioner Preiser anticipate a program of counseling, remedial work, and college-level instruction at other correctional facilities which would provide basic academic or technical skills and introduce the possibility of full-time collegiate study for other groups of inmates.

"The aim is not to move in one direction only or to focus on a single facility. Rather, we hope to develop a kind of master plan which will lead to a more rational and better coordinated educational program for inmates," Chancellor Boyer said. "Bedford Hills would be a key project in this educational network."

Commissioner Preiser hailed the proposed college as a "major step forward in one area that corrections has never really tried.

"We have run the gamut of varying kinds of treatment," he said. "Now," he continued, "we are in the stages of implementing a long-needed approach. I especially believe that a liberal arts education can help inmates to understand society and their places in it, improve their self-image and see themselves as a functional part of that society.

"We have concentrated on job training and vocational skills—which certainly have a place—but, if we can truly build self-image, understanding and attitude, vocational adjustment will take care of itself," the Commissioner concluded.

Chancellor Boyer said that administrative and faculty personnel for the college would be recruited from within the University itself.

Dr. Boyer pointed out that each year more than 1,000 New York State inmates qualify for high school equivalency diplomas in addition to 440 who take courses under auspices of University campuses. He said this demonstrates keen interest in education among inmates and clearly establishes that such academic work can be successfully completed.

Dr. Healy will bring vast experience in university administration and in literary, classical, and clerical scholarship to his new mission with the State University.

An ordained Jesuit priest, Dr. Healy holds three earned degrees, two magna cum laude, from Woodstock College in Maryland; an M.A. degree from Fordham University, a Ph.D from Oxford, and other academic honors from Faculté St. Albert in Louvain, Belgium.

Since 1969 he has had chief responsibility for academic and curricular planning for the 20 units in the 259,000-student City University system.

His teaching career at Fordham began as a member of the Fordham Preparatory faculty in 1947. He was later to serve as a member of Fordham University's English Department, rising from the rank of instructor to full professor; as director of alumni relations, as academic vice president, and from 1965 to 1969 as executive vice president. Dr. Healy graduated from Regis High School in New York City and attended various parochial and public schools in Queens and Manhattan.

Mr. Elwin assumed his position with Correctional Services on March 3, 1972. He has responsibility for directing, coordinating and administering such operational programs as inmate classification and movement, correctional industries, education and guidance and counseling in all state correctional facilities. He earned his bachelor's degree from Brooklyn College and his master's degree in public administration and correctional management from New York University.

Before joining the Department of Correctional Services, Mr. Elwin was deputy chief probation officer for the Second Judicial District, Kings County, New York.

When the plans for the new college at Bedford Hills are completed, they will be submitted to the Governor for his approval and subsequent consideration by the Regents and by the Legislature at the 1974 Legislative Session.

"MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 38

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. HARRINGTON. Mr. Speaker, a lot of people in this country are making

money from the manufacture and sale of handguns, which, in turn, are responsible for more than half of the murders in this country every year.

A recent study has estimated that the amount of handguns presently in private ownership is enough to provide "one deadly handgun for every 1.5 American families." And, consequently, a majority of the people murdered by handguns are killed by a friend or relative.

I would like to include an article by Nathan Cobb of the Boston Globe, June 3, 1973, entitled "Booming Handgun Business Soars to Record $75 Million." And today's murder from the Baltimore Sun also follows:

YOUTH, 15, CHARGED IN CLASSMATE'S DEATH

A classmate of a 15-year-old boy found shot dead near the old St. Mary's Seminary on Paca street Tuesday has been arrested and charged with homicide in the death.

The dead youth was identified yesterday as Darrel J. West, of the 400 block Watty court, a student at PS 176. Arrested Tuesday at his home was James Anthony MacDougall, 15, of the 600 block West Mulberry street, a classmate.

BOOMING HANDGUN BUSINESS SOARS TO RECORD $75 MILLION

(By Nathan Cobb)

It's official.

The handgun—used by more murderers in the United States than all other weapons combined—is now as American as baseball.

During 1972, retail pistol and revolver sales across the country soared to a high of $75.6 million, according to excise tax figures filed with Internal Revenue Service (IRS). Americans spent roughly an equal amount—$76.1 million—on all types of baseball goods during the same year, the National Sporting Goods Assn. reports.

A month-long Globe study of the sale, ownership and use of America's number one criminal weapon concluded that despite Federal and Massachusetts laws passed in 1968 ostensibly to slow the massive flow of handguns into private hands, manufacturers and dealers of these deadly and concealable guns are enjoying a business boom.

In fact, becoming an economic equivalent of the "national pastime" has been only one recent accomplishment of the burgeoning handgun trade. Some others:

According to IRS figures, dollar volume of US retail handgun sales last year rose 59.4 percent over 1968, the year stiffer Federal laws governing handgun purchase were passed. During the same period, other firearm and ammunition sales rose only 14.1 percent.

American manufacturers produced 902,701 handguns during the last six months of 1972, according to newly-required reports filed with the Bureau of Alcohol, Tobacco and Firearms (ATF) of the US Treasury Dept. This is approximatelly a 50 percent jump over figures compiled in 1968 by a special presidential commission, and it represents a four-fold increase during the past decade. Additional figures filed with ATF show that four out of 10 guns now being made for private sale in the United States are handguns.

Imported handguns, which the 1968 Federal Gun Control Act restricts to those deemed "particularly suitable" or "readily adaptable" for sporting use, are skyrocketing in number. Last year, 439,883 handguns were imported for sale in this country, a solid 23.4 percent jump over 1971. In fact, handgun imports have now reached the level of the mid-1960s, when concern over their number led to a ban on the importation of small, cheap, so-called "Saturday Night Specials."

The 1968 law has spawned a whole new domestc industry of "Saturday Night Special" manufacturers, located primarily in New York and Florida, who are churning out tiny .22 and .25 caliber handguns which cost between $5 and $25. Because Federal law technically bans only the importation of frames for "non-sporting" guns, these new manufacturers have been able to apply for permits to import enough other types of parts to assemble 4,322,800 handguns since 1968.

"There's definitely been a shift in emphasis toward handguns by gun buyers," said Saul R. Arnstein, co-owner of the Ivanhoe Sports Center in Watertown during a recent interview. "Since 1968, handgun sales are up while rifle and shotgun sales are down. Our estimated percentages used to be about 50–50. Now about 70 percent of our sales are handguns, while 30 percent are rifles and shotguns."

Today, Arnstein's retail and wholesale gun dealership, which he claims is the largest in New England, sells 3000 handguns a year. In 1968, he estimates he sold about 1500.

Although a small number of handgun owners use their weapons for target shooting and hunting, the weapon's success and popularity comes primarily from its effectiveness as a killer and maimer of human beings.

"But the handgun is not only just a murder weapon," William J. Taylor, Supt.-in-Chief of the Boston Police Dept. explained recently: "There's no question that the ready availability of handguns increases all types of crime. I'm talking about robberies, rapes, everything. The handgun is definitely the most prevalent weapon in crime. And it's growing."

New England is the handgun manufacturing capital of the country. Of 68 domestic gun manufacturers listed in the 1973 issue of "Gun Digest," a gun trade directory published by the Chicago-based magazine of the same name, 17 are located in New England, far more than in any other single region. Ten of these are handgun makers, including the prestigious Smith and Wesson Inc., of Springfield and Colt Industries of Hartford, Conn.

(New England also holds two dubious handgun manufacturing distinctions. The .22 caliber pistol that Sirhan B. Sirhan used to murder Sen. Robert F. Kennedy was made by the Iver-Johnson Arms and Cycle Works, Inc. in Fitchburg, and the .38 with which Arthur H. Bremmer shot Gov. George C. Wallace was manufactured by the Charter Arms Corp., of Bridgeport, Conn.)

These and other handgun manufacturers have consistently refused to release production statistics, and until ATF recently required that they file such figures dating back to July 1, 1972, no Federal agency kept track of how many guns were being stockpiled in America.

In 1968, subpoenas were required from the National Commission on the Causes and Prevention of Violence to make figures public. Then it was learned that America had legitimately produced 22.6 million handguns for private sale since 1899 to go with the 5.4 million handguns that had been legally imported. Since the commission's initial findings, the recent handgun boom has buoyed the country's private arsenal by 12 to 15 million more concealable firearms.

Says William F. Fitzgerald, director of the Firearms Record Bureau of the Massachusetts Dept. of Public Safety: "Keeping track of the growing number of handguns isn't like taking a population count. Unlike people, guns don't die off. Very, very few of them ever disappear. The total number just keeps growing"

Thus, most current estimates of handguns place the national total at somewhere between 30 and 40 million—or about one deadly handgun for every 1.5 American families.

And the total continues to mount.

Although Massachusetts has relatively strong laws governing handgun purchase (roughly 25 percent of the state's 70,284 legal gun sales last year were handguns, and only about one out of every 135 handgun sales in the U.S. takes place in the Bay State), a Globe survey of local dealers revealed that business is brisk.

Some retailers reported sales up as much as 50 percent over 1968, when Massachusetts passed what is considered to be one of the toughest gun laws in the nation.

According to the Firearms Record Bureau, there are approximately 110,000 persons in Massachusetts with licenses to carry (and therefore purchase) handguns, as well as another 300,000 people who possess Firearms Identification Cards (F.I.D.), which allow them to keep guns in their homes. Both are issued by the local police chief in the gun owner's city or town. An F.I.D. card may also be used to purchase a handgun when accompanied by a sepcial permit to do so which is also issued by local police.

The Massachusetts system, however, registers legal owners, not guns. As Arthur A. Montouri, special agent in charge of the ATF put it recently, "A person with an F.I.D. card or a license to carry can own 20 guns. And often does."

Further, law enforcement officials interviewed this week contend that only a portion of the state's handgun owners have licenses, and that growing legal sales represent only part of the handgun market.

"I'd guess that for every legal owner there are two illegal owners," offered Lt. Det. Jerome P. McCallum, acting head of the homocide bureau of the Boston Police Dept. "It just seems to me that everyone and his brother has a handgun around here."

Clearly, these are bonanza days for the more than 150,000 Federally licensed gun dealers across the country, whether they are handling Colt's powerful 357 Magnum or the handy Model 733 .32 caliber revolver manufactured by Harrington and Richardson Inc., Worcester.

"The handgun supply simply hasn't been able to keep up with the demand," said James F. Mahoney, a clerk at Bob Smith's Sporting Goods, a Boston retailer and wholesaler. "For instance, Smith and Wesson has cut their allocation to us in half because they have so many orders."

Some manufacturers, Smith and Wesson included, sell through wholesalers. Others, such as Colt, move guns directly to retailers. The two-stage mark-up is approximately 35 percent, with about 15 percent going to the wholesaler if he is included.

While some of the increased sales are undoubtedly for sporting purposes, dealers report that the major reason people are buying handguns is fear—generally of other people with guns.

At Bob Smith's Sporting Goods, merchandise manager Stephen Vinciguerra stated that 60 to 70 percent of the firm's handgun sales are to people who want to "protect" themselves. "I'm selling handguns to guys who've never bought a gun before and who said they'd never buy a gun," Vinciguerra said. "They're buying good quality .22s, .25s, .32s and .38s. People are scared. There isn't a merchant in downtown Boston who doesn't have a gun under his coat."

Such buyers are apparently unconcerned by warnings similar to that which came from the National Commission on the Prevention of Crime and Violence, stating that handgun owners are more likely to shoot themselves or a member of their family than stop a criminal.

This view was echoed recently by Supt. Taylor, Boston's number two cop. "If these people think a gun will do any good to prevent a robbery, they're mistaken," Taylor said. "They'll just cause a threat to the criminal and the criminal will respond with more violence. Believe me, the criminal will

make the first move. And if you move second, you're in trouble."

Meanwhile, the deadly stockpile continues to grow across America. A handgun legally crosses a sales counter every 12.6 seconds, and illegal transfers probably occur as frequently.

Handguns are in bedside tables, closets and bureaus. They're in cellars, garages and automobiles. Before the decade is out, there will be one handgun for every male in America.

"My house is a fortress," boasted one Boston gun dealer recently, taking up the cry for even more guns. "Why, I could hold off twenty guys from in there."

THE FUTURE OF THE AMERICAN GOVERNMENT

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. DELLUMS. Mr. Speaker, for a long time the present incumbent of the Presidential office, Richard Nixon, has disgraced that office in the eyes of the American people—and our whole country in the eyes of the world—by his arbitrary illegal acts and by his devious smokescreen of lies, evasions, and self-serving, self-pitying pleas with which he tries to cover his tracks.

Congress has been forced to sit back and take it, ever fearful of the consequences of removing him in a time of crisis and division. But the events of autumn, 1973, force us in Congress to ask ourselves whether we can avoid any turmoil by letting him stay—or whether Richard Nixon is using the powers of his office to destroy the very things that make politics in a democracy possible.

Politics in a democracy is possible only with a minimum of trust.

When the President violated a solemn commitment to the Senate and the American people to respect the independence of the special prosecutor, Richard Nixon showed that he thought that promises are not worth the paper they are written on, and are to be discarded when convenient. After the lies about the bombing in Cambodia—after the former Vice President threatened to divide the country for personal purposes—it becomes evident that the Government no longer even tried to gain men's loyalty by rational persuasion, but instead by force and trickery.

Politics in a democracy is possible only with a minimum of credibility in our judicial institutions, which provide the boundaries for political differences and conflicts. But to follow the plea bargaining of the formerly hard-hearted Mr. Agnew with a purge of the Justice Department removes from this scandal-ridden administration even the faintest sense of a commitment to fair play and self-restraint.

Politics in a democracy is possible only when there is some understanding of the difference between military discipline, based on unquestioning obedience, and civilian government, based on the dedicated loyalty of talented professionals.

Mr. Nixon had so forgotten this elemental distinction that he was surprised when Mr. Richardson and Mr. Ruckelshaus refused to obey his dishonorable orders.

There is one more fact that must be realized. This country has not quite yet lost the habit of freedom. When democratic politics are not possible, orderly stable government is not possible. We cannot go on to solve the real problems of our society when the head of our Government has so much to hide that he cannot avoid forcing us into crisis after crisis.

For all these reasons, there is only one course of action for the liberal—for the conservative—for the radical or the reactionary—for anyone interested in real issues instead of the petty crimes of inadequate men: Impeach the President.

HOW LIBERALS BENEFIT FROM TAXPAYER FUNDS

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. SYMMS. Mr. Speaker, with all the talk we have heard this year about political dirty tricks and politicalization of the Federal Government by Nixon administration officials, it is easy to forget that a great many powerful forces in the bureaucracy are hostile to the President and on good terms with the people who lost the 1972 election. The OEO legal services program has been a horn of patronage plenty for close associates of Sargent Shriver, for example.

It is not just the idea of patronage to the "out" party that bothers me. Some of the activities being funded with tax dollars would seem improper even if they benefited members of my own party—which they do not.

For evidence of my concern I refer readers of the RECORD to a September 29 article by Howard Phillips, the former head of OEO:

HOW LIBERALS BENEFIT FROM TAXPAYER FUNDS

(By Howard Phillips)

Who said George McGovern and Sargent Shriver lost the last election? At the Office of Economic Opportunity (OEO) they seem to have all the advantages of incumbency—still able to subsidize their friends with large grants, honorific titles, comfortable consultancies and salaries, tax-paid travel, and more. Even worse, they continue to dictate policy to a Watergate-weakened White House staff, implementing policies which should be anathema to Richard Nixon and the "New American Majority" which elected him.

Witness the Urban Law Institute of Antioch College. Before the Watergate "exposé" in March, OEO funding was to have been phased out. In fact, on Nov. 2, 1972, the liberal acting director of Legal Services, Theodore Tetzlaff, wrote: "... the grant now being proposed for Antioch represents a 50% cutback in the amount of funds provided Antioch Law School last grant year. And it is the intention of the Office of Legal Services that this amount will be reduced by 50% again during the next and final grant year. That is, by this schedule the Office of Legal Services will phase out its support for the grantee."

Now, OEO Director Alvin J. Arnett is reportedly planning to refund it.

Headed by Joan Cahn and her husband, Edgar, former special assistant to Shriver in his days at OEO, the program had been "expelled" by George Washington University only to be rescued, in 1971, by Frank Carlucci, who ran OEO before becoming No. 2 man at the Office of Management and Budget, then under secretary of HEW.

Amply subsidized by the federal government, the co-deans Cahn have been leading their student charges in challenges to TV license renewals in Washington, D.C., Chicago, and Los Angeles, in critical studies of revenue sharing, and in efforts to facilitate the use of cable TV as a means of propagandizing on "poverty" issues.

The overall goals of the Antioch program include shaping nationwide changes in law school curricula to foster greater emphasis on "poverty" concerns, providing research support to legal services back-up centers, and awarding academic sabbaticals to preferred legal services attorneys.

That Antioch has well-placed friends high in the Nixon White House is evidenced in a July 24, 1972, letter from Mrs. Cahn to Leonard Garment, a life-long liberal Democrat who is special counsel to President Nixon. The letter says in part:

"DEAR LEN: * * * A specific request. Time is of the essence. Can you help us over at Commerce to break loose some Public Works money. . . . As for the politics of it, we obviously can't turn the District Republican—but we can get strong backing from District Republicans and the School of Law can legitimately be projected nationally as a product of this Administration since its very existence is due to the untiring efforts of Frank Carlucci."

Mrs. Cahn added: "Our funding now comes from Commerce (OMBE) as HEW, Labor, and HUD, so we are no longer simply a legal services program."

A more dangerous Shriver crony who has gotten fatter on OEO dollars during the Nixon Administration is E. Clinton Bamberger Jr., and Shriver's personal pick as the first director of the OEO Legal Services program when it began in 1965. A pal of ex-Maryland U.S. Sen. Joe Tydings Jr., Bamberger has also been president of the National Legal Aid and Defenders Association, another OEO grantee.

Since taking office at the end of June, Director Arnett has given hundreds of thousands of dollars in OEO grants and contracts to projects in which Bamberger has been deeply involved.

The NLADA has not only been awarded a direct subsidy of nearly $300,000 by Arnett, it has also had restored to it the right to collect dues from federal grants made to hundreds of other OEO-funded projects. In 1972, more than $100,000 was raised in this manner from legal aid organizations, most of which were OEO supported.

It should give President Nixon little comfort to know that two of NLADA's vice presidents have been Terry Lenzner, now assistant chief counsel for the Senate Watergate Committee, and John Douglas, who in 1972 was national cochairman of the McGovern campaign. The executive director of NLADA is James Flug, who previously was a Senate staffer for the Hon. Edward M. Kennedy (Flug's wife, Carla, is an employe in the OEO Office of Legal Services. Flug was preceded as executive director by Frank Jones, whom Donald Rumsfeld had fired as deputy director of the OEO Legal Services Office.)

The Board of Directors is amply peopled

with legal services veterans and present officials of OEO grantees, as well as prominent liberals, like former Atty. Gen. Nicholas Katzenbach, Mrs. Lucy Benson of the League of Women Voters, and Washington, D.C., lawyer Howard Westwood. A few token Republicans are retained for their value when it is time to lobby for funds or liberal policies.

An active force for "law reform," both in landmark litigation and legislative corridors, NLADA is subsidized by OEO to "monitor" and provide "technical assistance" to legal services grantees throughout the nation. This is achieved through "training" conferences and a network of 1,200 consultants.

Bamberger has also been a prime mover behind the Micronesia Legal Services program which, at his urging, received an initial grant of $60,000 in 1971 from then OEO Director Frank Carlucci.

This program has proven to be one of the most insidious legal services projects, fomenting anti-American sentiment, attacking Defense Department activities in the Trust Territories, even threatening action against the United States in the United Nations.

One of the project attorneys, Dennis Olsen, has actively criticized America's "institutional imperialism," urging that America "be compelled to pay for crimes" and stimulating support for "direct radical action."

Olsen is a booster of a man named Ataji, whom he compares with Ché Guevara, the late Cuban Communist leader. He says that "Ataji and his people—with the help of a handful of fellow travelers from the Peace Corps and the OEO—can win significant battles to reclaim their integrity as an island nation. But alone they can never finally prevail against the brazen power of America. Only pressure from liberals and radicals and humanists within the United States can render any real change in the policy and attitude of American administrators in the Pacific." If this be legal aid for the poor, make the most of it.

In addition to whatever ideological sustenance Mr. Bamberger may derive from such sentiments, the program affords mainland members of the Micronesia Legal Services advisory board, of whom Bamberger has been one, the luxury of cost-free stopovers in Hawaii while en route to semi-annual board meetings in the Pacific islands.

Moreover, at least one OEO employe, Frank Duggan, has had a free trip to Japan financed by Uncle Sam, on the way home from an inspection tour of the Micronesia program. Duggan, by the way, who came to OEO on the patronage of Texas Democrats Ralph Yarborough and Ben Barnes, and who worked for AFL–CIO COPE, now heads the Operations Division in the OEO Office of Legal Services at a salary in excess of $30,000 per year.

Prompted by my concerns, which were backed up by top officials at the Department of State and Interior, the White House agreed in March of this year to discontinue funding of the Micronesia program. For whatever reason, Mr. Arnett refunded it in August.

Still another Bamberber boondoggle recently funded by Arnett is a contract to Bamberger's own Law School, to provide training and technical assistance for Legal Services attorneys. More will be written of this program in a subsequent column.

The real test of whether President Nixon gets out of the Watergate syndrome will lie in the degree to which he can regain control of the executive branch and remove appointees who seek credit with his enemies for flouting the policies on which he won re-election.

Until then, the "business of the people" is being handled by those who lost in 1972.

ADMIRAL RICKOVER'S INSPIRING COMMENTS ON THE PURPOSE OF MAN

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. HOSMER. Mr. Speaker, I am sure that everyone who has ever known Adm. H. G. Rickover has in some way been inspired by his contact with this remarkable man. Another sparkling facet of his mind is revealed by the following item from the editor's page of U.S. News & World Report for October 22:

THE PURPOSE TO LIFE

(NOTE.—Weeks before political scandals in Washington reached the headline proportions of the present, Vice Admiral Hyman G. Rickover made one of his frequent appearances before a congressional committee and discussed the moral fiber of America. The Admiral has for years let his caustic criticism range from bureaucracy to educators to ethics, to name just a few of his many targets. This time committee members asked this concept of man's purpose in life. His impromptu reply is excerpted below.—Howard Flieger, Editor.)

Man's work begins with his job, or profession. Having a vocation is always somewhat of a miracle, like falling in love. . . . But having a vocation means more than punching a timeclock. One must guard against banality, ineptitude, incompetence, and mediocrity.

We as a people seem inclined to accept average or mediocre performance. Mediocrity can destroy us just as surely as perils far more famous. It is important that we remember to distinguish between what it means to fail at a task and what it means to be mediocre. There is all the difference in the world between the life lived with dignity and style which ends up failing, and one which achieves power and glory, yet is dull, unoriginal, unreflective, and mediocre. In a real sense, what matters is not so much whether we make a lot of money, hold a prestigious job, or whether we don't; what matters is that we become people who seek out others with knowledge and enthusiasm—that we become people who can enjoy our own company.

Most of the work in the world today is done by those who work too hard; they comprise a "nucleus of martyrs." The greater part of the remaining workers' energy goes into complaining. Employes today seldom become emotional about their organization or its output; they are ony interested in getting ahead. And many organizations are killing their employes with kindness, undercutting their sense of responsibility with an ever-increasing permissiveness. This is a fatal error, for where responsibility ends, performance ends also.

The sense of responsibility for doing a job right seems to be declining.

The willingness to act and to accept responsibility is a symptom of America's growing self-satisfaction with the status quo. . . .

A major reason why so large a majority is smugly docile is that it has accepted the unwritten rules of the game: Don't rock the boat as long as you get your cut. Why become worked up over corruption as long as there are enough benefits of the fallout to go around? Once the acceptance of corruption becomes sufficiently widespread, effective exposure seems threatening to too many people and interests. Clamor for closing loopholes declines in direct proportion to the number of people who benefit from loopholes of their own. Freedom of speech seems less important when the majority persuades itself that it is not likely ever to want to speak out to complain.

For the person who strives to excel, to shoulder responsibility and to speak out, there is an enemy wherever he turns. The enemy is a man who has a total willingness to delegate his worries about the world to officialdom. He assumes that only the people in authority are in a position to know and act. He believes that if vital information essential to the makng of public decisions is withheld, it can only be for a good reason. . . .

The enemy is any man whose only concern about the world is that it stay in one piece during his own lifetime. . . . Nothing to him is less important that the shape of things to come or the needs of the next generation.

To struggle against these enemies, and against apathy and mediocrity, is to find the purpose to life.

NO BED OF ROSES

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. GAYDOS. Mr. Speaker, despite the fact that spokesmen for the administration have been tossing bouquets of flowers into the air and shouting hosannahs about our Nation's dwindling deficits in international trade, I want to dispel the notion that everything is smelling like roses.

It is not. There are onions in the rose garden. We still have a trade deficit and we have a continuing deficit in one of our most important industries—steel. Admittedly, there has been a slight decline in steel imports in general. This is due directly to an almost unprecedented demand for steel throughout the world. But there has not even been a dip in the importation of key specialty steels. To the contrary, these vital products have shown a marked increase.

The latest figures from American Iron and Steel Institute clearly show our foreign steel competitors have developed a taste for the meat-and-potato market of the American steel industry. The value of imported steel exceeded the value of our steel exports by more than $171 million in September, although our overall merchandise trade deficit was just $16.6 million.

Through August, our steel trade deficit was nearly $1.2 billion whereas the entire merchandise trade deficit was only $720 million. The declared value of foreign steel shipped here during 1972 is 10.3 percent higher than during the same period last year. Why? Because of the increase in key specialty steels. Tool steel is running nearly 64 percent over last year's pace and alloy steels are up nearly 7 percent.

Mr. Speaker, I hope my colleagues will not allow the smell of roses emanating from the White House to affect their vision. I hope they will not smell roses and not see the thorns. Our steel industry still is being hurt by foreign imports.

As long as it is, our workers are being hurt. As long as they are being hurt, our Nation is being hurt. I am inserting AISI's latest steel trade announcement into the RECORD for the consideration of my colleagues:

STEEL REMAINS TRADE PROBLEM, DESPITE IMPROVEMENTS ELSEWHERE

WASHINGTON.—Although the overall U.S. merchandise trade balance continues to improve, the trade balance in steel mill products does not.

Preliminary government data show that the value of steel imported into this country exceeded the value of U.S. exports of steel by $171.2 million during the month. This compares with an overall U.S. merchandise trade deficit for August of just $16.6 million.

Through the first eight months of 1973, this country's trade deficit in steel had reached nearly $1,282,600,000. During this same period, the entire U.S. merchandise trade deficit for all commodities was only $720,200,000.

August's steel imports of 1,316,000 tons raised the total for the first eight months of this year to 10,436,000 tons. Although this was 3.1 percent below the total recorded during the same period of 1972, the declared value of the foreign steel entering this country through August of this year was 10.3 percent higher than it was during the comparable period of last year.

Despite the slight decline in overall steel imports, foreign shipments of key specialty steel products have increased this year. Through August, for example, imports of tool steels were running 63.8 percent ahead of their 1972 pace, while foreign shipments of other alloy steels were up 6.9 percent.

Steel imports into the Gulf Coast region were up slightly over last year, while those into the Atlantic and Pacific coastal regions had dropped slightly. Foreign steel shipments into the Great Lakes area were running more than ten percent below their comparable 1972 pace.

THE VOLUNTEER ARMY IS WORKING

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, on Monday, October 15, Secretary of the Army Howard H. Callaway addressed the Association of the U.S. Army here in Washington.

Secretary Callaway spoke clearly and well about the progress of the volunteer Army. He pointed out that those seeking a return to the draft are not facing up to today's realities—the facts show "the volunteer Army is working."

Two of Secretary Callaway's points bear special attention. He noted that many have a distorted picture of the volunteer Army's progress, because of the monthly open discussion of goals and quotas. He said:

But it is important to remember that our goals are akin to the salesman's goals—realistic, but difficult to meet.

Further, he emphasized that transition to a volunteer Army has made our military better, both in terms of discipline improvements and combat readiness improvements. He cited the 9th Infantry Division at Fort Lewis, Wash., which I recently had the opportunity to visit. This unit is made up almost entirely of volunteers—and at 102 percent strength. The Army Secretary also said:

Virtually every major indicator of discipline except drug offenses has, in fact, remained or turned positive in the volunteer army.

Discipline trends in this transitional period have shown reductions in the rates for AWOL, desertion, crimes of violence, crimes against property, courts-martial and separations under less than honorable conditions.

Such indicators are encouraging. We can be even more encouraged by this impressive statement by an official who has one of the best perspectives into the way the volunteer Army is progressing. I commend it to your attention:

KEYNOTE ADDRESS BY THE HONORABLE H. CALLAWAY

Ladies and Gentlemen, distinguished guests: I'm delighted to have this opportunity to be with you this afternoon. We in the Army are aware of your long-standing support for a strong National defense and we feel that the Nation owes you a debt of gratitude.

It is an exciting time for me to be Secretary of the Army. We are entering a historic time, a time of basic change, as we try to do what has never been done before. The Army has set out to provide security for this great country, to keep our global commitments, to stand ready to face an aggressor on a moment's notice—and to do all this with an Army of volunteers. No nation in history has tried to meet such massive and complex commitments without compelling people to serve, through one form of conscription or another. It is a challenge—a great challenge, one which I assure you we are doing our utmost to meet. Today I want to address this question with you—this question of meeting the need for an Army with a volunteer force.

Unfortunately, discussions of the volunteer Army are usually accompanied by emotional consideration about the value of the draft or of Universal Military Training. There are many, both in the military and out, who genuinely feel that the maintenance of a draft is important to our country, and so the debate continues. But the debate is on the wrong subject.

Those who continue to hold out the false hope that the Army can or ought to simply dodge the problems of the volunteer environment by quick return to the draft are not facing up to today's realities. The country doesn't want a draft today. The Congress doesn't want a draft today. The alternative then is a successful volunteer Army or failure for the Army. The US Army has never failed this country. It has always turned the hard challenges of history into success. So today, the challenge for all of us who support the Army is clear. We must set our minds to making the volunteer Army work.

And the volunteer Army is working. It is working because thereare still young men and women in America who want to serve their country—this is "an idea whose time remains" for all Americans, young and old, of every race, color, and creed. And it is working because the Army offers to young men and women a satisfying life and solid benefits in conjunction with their service. There are those who feel we are trying to buy an Army. This is not the case. We are giving young men and women who serve in the Army a standard of living that is roughly comparable to the standard of living they might get in the civilian community for doing a similar job. This means higher pay; paid annual leave; complete, superb medical and dental care; life in much improved barracks, and more.

All of these measures are necessary. I support them wholeheartedly. But let me emphasize that we are not trying to buy an Army. We will get the Army that the Nation needs only by appeal to sacrifice and service.

And this brings me to the second, most important way that we are making the volunteer Army work, by insuring that service to the country is a meaningful part of the young man or woman's life. We are making Army service a step forward in their lives, not an interruption. And to do this we are putting a great emphasis on education and training, and on insuring that our soldiers' jobs are important and useful.

We are doing this by making each soldier's job relate to the Army's mission, because this makes Army service mean something. Our young people want value from their lives. They want a job that matters and we've got that job. We are also working to eliminate unnecessary irritants. We think this will make the Army more attractive, and our surveys have borne this out.

We have developed a very attractive package of education and training. To the high school dropout who has the ability and motivation, we offer work toward a high school diploma, as an adjunct to training. To the high school graduate, an opportunity for college training, part of which may be as an adjunct to training. To junior college and college students, the possibility of further training, and even this may be as an adjunct to training. And to all of them, the Army offers vocational training that will be useful when the soldier returns to civilian life.

With a meaningful job, a decent standard of living, and real opportunities for continued education and training, young men and women can look upon a period of service to the country as a genuine step forward in their lives. And when they leave the Service, they will realize other very important advantages. For one thing, under the GI Bill, they are entitled to more education, provided by the government to its veterans. And they're more mature. The Army has trained them, given them each a mission, and then held them responsible for professional results. This responsibility develops maturity. Thus, both the education and experience of military service prepare them for better jobs when they leave the Army for civilian careers.

All of these benefits are pointed toward the first term volunteer. For those who choose to reenlist for the volunteer Army, however, more opportunities for education, maturity, and service accrue.

We have, today, the finest noncommissioned officer leadership training we have ever had, with progressive career steps going from the recruit right on through our top command sergeant major. Our men and women enjoy the benefits of our new Noncommissioned Officer Education System, a system which offers to the noncommissioned officer a progressive, professional military education roughly comparable to the superb system of schooling we have always offered to our officers. The system trains, educates, and motivates our NCO leaders for the progressive challenges of an Army career.

Some of our strongest supporters don't fully understand today's Army. They think the Army lost something important when we initiated, for example, the idea of hiring civilian help—KPs—to work in the kitchens and dining rooms. They think that eliminating such irritants as KP has made the Army

soft. But the Army's mission is not to peel potatoes; its mission is to fight. Peeling potatoes does not improve discipline or combat efficiency. So changes to some things held traditional in the past are in the wind, but if you look at them, you will see that each turns harder than ever on mission. We are not retreating from the Army's real business. The volunteer Army is ready to fight.

We do not have and we shall not have a permissive Army. We have and we shall have a disciplined Army, responsive to authority, and able to perform its mission in the service of the country. You expect it; the country deserves it; and I'm going to do my level best to see that it happens!

In brief, that's the program we have undertaken to attract young people, to encourage them to enter the Army. And once they're in, I know that many of them will choose to stay beyond their initial commitment, because they will see that the Army has a very fine career progression system.

I believe Americans will agree, then, that we have a package that is appealing to today's young people, appealing not only in terms of benefits, but in the opportunity for service to country. And the beauty of this is that it appeals to everyone in America. Service to country appeals equally to rich and poor, Northerner and Southerner, educated and uneducated. Pride in America and willingness to sacrifice for her is an ideal which knows no cultural or economic boundaries. In this fact lies the very strength of the Nation. I count on this appeal to give us an Army which mirrors America. It's not going to be a mercenary Army, it's going to be an all-American Army.

This then is our plan. It is not only our plan for the future, it is also a description of today's Army. For practical purposes, the draft ended for us on December 29, 1972, when the last draftee entered the Army. (Although a few deferred draftees entered later.) So we have had about 10 months' experience now in a volunteer environment, and I think it is appropriate that we review some of the results.

Because each month we openly discuss our goals and quotas, many have a distorted picture of our progress. They feel we are hopelessly short of recruiting goals, trying to make up the gap by lowering quality, and as a consequence, ending up with nothing worthwhile whatever. It is true that we have missed our goals during the past 10 months. But it is important to remember that our goals are akin to the salesman's goals—realistic, but difficult to meet.

What are the facts? During these past months, we have recruited into the volunteer Army some 124,000 young men and women; further, over 34,000 men and women have reenlisted during this period. In fact we have been running about 84 percent of our recruiting objective ever since December 29, 1972, when we abandoned the draft. And those who have come into the Army are of high quality. We have had a higher percentage of high school graduates entering the Army since the draft ended—about 10 percent higher—than we had in the 6 months before the end of the draft. As a result, we now have an Active Army of over 794,000 and this is 97 percent of our programed strength. Total accessions, then, have fallen somewhat short of our goals, but we are still filled far above any level of concern, and quality is high.

And we have many encouraging signs. Last year we decided to reactivate the 9th Infantry Division at Fort Lewis, Washington, but the manpower was not at hand. So we told the commander, General Fulton, that if he wanted a division, to take his cadre, the Division colors, and go out and recruit a division. General Fulton and his recruiters did just that. They began a vigorous recruiting campaign and today that Division stands at 102 percent strength, essentially filled with enlisted volunteer soldiers. Now, this is a real success story, a living example which illustrates concretely that the volunteer Army program is not an impossible dream, but a workable idea, and it is typical of many other units with similar successes.

We do not minimize our recruiting problems; we spend our time and energy working on them. We are trying many new approaches to recruiting, which stress quality together with quantity—such as increasing the number of recruiters, expanding our unit-of-choice and station-of-choice options, screening out poor soldiers in our reenlistments, administering new entrance tests, and even weeding out misfits in basic training. These efforts will continue.

Some also have expressed concern that the volunteer Army was doomed to failure because it would bring a decline in discipline. That has not been the case. If we compare discipline trends for FY 72 with FY 73, a period which includes both draft and volunteer Army experience, we find that rates for AWOL, desertion, crimes of violence, crimes against property, courts-martial, and separations under less than honorable conditions, are down.

Virtually every major indicator of discipline except drug offenses has, in fact, remained or turned positive in the volunteer Army. Whatever factors contribute to this picture, it is clear that today's volunteer soldier is not causing an increase in disciplinary problems.

Many also had expected the volunteer Army to herald the demise of our National Guard and Army Reserve as viable outfits. No such demise is in sight, although we do face problems here. We have seen modest reductions in the strengths of both our Reserve Components from the December 1972 levels, a trend in fact dating from mid-1971. But current indications give us some encouragement that we may be able to restrain this decline. We have in the past several months, for example, been successful in recruiting trained, experienced, prior-service personnel into our Reserve Components to offset some of our shortfall. As you know, Reserve Component strength remains critically important, so we are very much concerned that it continue to receive close attention. Under the total force policy any future emergency buildup will have to rely upon the National Guard and Reserve rather than a draft for initial and primary augmentation of our Active forces. I expect the improving image of the volunteer Army to have the positive effect on the health of our Reserve Component recruitment that is needed.

Finally, combat readiness, which is the heart of our business, has shown significant improvement. When the draft ended, we had 13 divisions on the books, but only 10 fully formed. Of the 13 divisions, only 4 met the Army's stringent readiness standards and were considered ready for combat. By contrast, we now have all 13 divisions fully operational and 10 ready for combat. Thus, our divisions today, judged by the stringent standards reported to the Joint Chiefs of Staff, much more nearly meet their goals in terms of authorized strength, personnel job qualification, unit training, equipment on hand, and equipment serviceability than they did at the end of the draft. Six months to a year from now, I believe our readiness posture will be even better.

These simple facts and figures point to one conclusion—The Army is better today than it was at the end of the draft. But the figures are not nearly so meaningful as the subjective feel of those in the Army. I certainly don't pretend to be an expert on this, but by the end of this month I will have visited all 13 of the Army's active divisions, as well as many other posts and stations. During every visit I have talked with new soldiers, with senior noncommissioned officers, with junior officers, with senior officers and commanders. I can tell you that without any question, today's Army is a far better Army, far more prepared for combat than it was at the end of the draft. I can just feel it everywhere I go. It's in the air. Discipline is better, morale is better, training is better, and equipment is better. The Army's future is indeed now.

And, what is more important, all of our vital trends, with the possible exception of drug abuse (and we are working hard and effectively on that one), are in the right direction today. Let me emphasize—your Army is good now, ready to fight, and getting better with the passage of time. I foresee no doom ahead. Six months from today we will be better, and after that, better still.

This picture that I give you of today's Army is enthusiastic and optimistic, and purposely so. I am extremely proud of today's Army and what has been done to make it work in the volunteer atmosphere. But I recognize our challenges. Benjamin Franklin once said that, "the man who expects nothing . . . shall never be disappointed." I believe he would share my belief that men who do expect something worthwhile and are willing to work hard for it, are apt to achieve it, even if the task is difficult and unfamiliar.

We are daily working on new, innovative, and exciting ideas to insure that we get the right number of qualified men and women to man our Army. It will not be easy. It will perhaps be the toughest job that the U.S. Army has ever been called upon to do, but I am certain that today's Army will be equal to the challenge.

We in the Army have always needed the active support of the American people. Today, we need it even more than ever before. Even our strongest critics have recognized that the one vital element necessary for the success of the volunteer Army lies beyond the Army itself. I'm talking about public support. We need your help as we plow new ground, as we steer an uncharted course to give the country the best Army it has ever had. Without your help, we cannot succeed; with it, we cannot fail. Together, we can meet the challenges and prove worthy of the Nation's trust.

A TRIBUTE TO WILFRED JENKS, ILO DIRECTOR GENERAL

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. ASHBROOK. Mr. Speaker, for the last 6 years I have had the opportunity of being a delegate to the International Labor Organization. At these sessions I was particularly impressed by the work of Wilfred Jenks, Director General of the ILO. It is therefore with deep sorrow that I note the recent passing of Mr. Jenks.

Wilfred Jenks dedicated his life to strengthening and improving the ILO. During his 42 years with the ILO, he served under every Director General in the history of that organization. His career was capped in 1970 when he himself became Director General of the ILO.

I have admired the courage, dedication, and leadership displayed at all times by Mr. Jenks. His tireless work in behalf of the working man and for human rights will long be remembered. The ILO and the peoples of the world have lost

the services of an outstanding international civil servant.

IS JOB MARKET HEALTHY?

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. MICHEL. Mr. Speaker, last week AFL–CIO President George Meany was in Florida charging the President with "increasing unemployment" and giving the Nation "inflation without jobs."

At about the same time, the Peoria Journal Star was running an article entitled "Current Area Job Market 'Very Good.' "

The article quotes Thomas E. Barden, manager of the Peoria office of the Illinois State Employment Service as saying:

This would be considered a worker's market right now because we've got a lot of job openings and we're looking for applicants. Out of the ten and a half years I've been here, I think this has been our best year. Already this year we've helped place 4,700 people in jobs, compared to 3,600 that we placed all of last year.

He went on to say that from August to September this year his file of job applicants decreased by another 1,400 persons.

There is considerable contrast between Mr. Meany's remarks and the report given by Mr. Barden. Enough of a contrast to make one wonder just how well Mr. Meany is in touch with the employment situation in this country.

The article follows:

CURRENT AREA JOB MARKET "VERY GOOD"

"It's very good," said Bob Schmidt. "I don't think it's been this good in a long time."

Schmidt is a manpower analyst in the regional Illinois State Employment Service office here, and he was talking about the current job market in this area—and the low unemployment rate.

"This would be considered a worker's market right now," said Thomas E. Barden, who is manager of the Peoria office of the state employment service, "because we've got a lot of job openings and we're looking for applicants."

"Out of the 10½ years I've been here, I think this has been our best year. Already this year we've helped place 4,700 people in jobs, compared to 3,600 that we placed all of last year."

Also, he says that from August to September this year his file of job applicants decreased by another 1,400 persons.

"I don't mean that we placed that many people in jobs in that time," he says, "but that's how many found work, either with help from us, or someone else, or on their own."

"We've done a lot of placement in the factories this year," said Barden. He said there have been a number of cases where factory workers will leave one plant to take a better paying job at another, and that this then creates more job openings.

Local factories have been going full steam and have been hiring, he said.

The employment service office here, in new quarters at Jefferson and Fayette, keeps a "job bank" of work available in Peoria and 10 other nearby counties.

As of the start of this month, there were 976 "listings" in that job bank, which Barden said involved 2,663 job openings.

Out of these, Barden said 75 were for professional-type work—"all kinds of engineers, draftsmen, registered nurses, licensed practical nurses, registered pharmacists, medical technicians."

There also were 42 listings for manager trainees, either in the fast food industry, retail trade, or savings and loans.

And there were 350 listings in the file for clerical jobs, sales clerks, bookkeepers, secretaries, receptionists, or general office work.

The demand for skilled work professional workers, especially engineers, is especially good. Machinists, welders, auto mechanics and tool and diemakers are also in demand.

"Any tool and diemaker could walk into almost any town and get a job right now," says Barden.

There is also a big market now for people to work in the retail trades, as store clerks or salespeople.

The opening of two area shopping centers—Pekin Mall and Northwoods Mall—swelled the number of job openings in those fields. Some stores in the Northwoods have had trouble finding enough help, while other places in other parts of town have had trouble with people leaving to take jobs in the new centers.

And the low rate of unemployment in this area doesn't make it easier for employers to get help—at least the kind they want.

The Tri-County (Peoria, Tazewell, Woodford) unemployment rate for August was 3.3 per cent, compared to a rate of 3.7 per cent for the state and 4.7 for the nation.

Last month, the Tri-County jobless rate dropped to 2.9 per cent, or 4,650 people without work out of a total work force of 159,075 persons.

Barring any upheaval such as a strike that would idle large numbers of workers, Schmidt looks for the unemployment rate to dip to about 2.7 per cent this month.

The low unemployment rate makes it especially rough for manufacturing firms to get workers, Schmidt said, "and the people they can get they don't want. But usually, if you're at least trainable, they'll take you."

Schmidt attributes the low unemployment here now to "just the good economic climate. The demand for the type of goods we handle in this area has gone way up."

And the rate is always lower in September and October because "all your manufacturing is going strong; construction work is at high tide; canning plants are canning; bottling plants are bottling, and so forth."

The state employment service office here doesn't merely wait for jobs or job seekers, however.

There are field representatives in the office who go out and call on businesses and industries periodically, checking their needs for workers.

Also staff members are sent periodically to several area towns—such as Eureka and Chillicothe—with the list of jobs available in the 10-county area and seek out job applicants.

Barden noted that he also works with local agencies or groups, Tri-County Urban League, Illinois Central College, and others, exchanging information on jobs available and job applicants.

And just this week, the state employment service opened a new branch office in Sheridan Village shopping center.

Barden also pointed out that services offered by the office are not strictly for people who are out of work, but that help also will be given to people seeking a change of jobs, or better or higher paying jobs.

THE CHICAGO BOARD OF TRADE TRIES TO DUCK

HON. JOHN MELCHER

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. MELCHER. Mr. Speaker, for about 4 years now, I have had a bill before Congress to require commodity exchanges offering futures contracts for farm commodities to establish multiple delivery points for the commodities.

The Chicago Board of Trade has recently announced two new delivery points for corn and soybeans: St. Louis, Mo., and Toledo, Ohio.

The board has for years been telling us that they were "studying" the designation of additional points. But their study excuse had worn threadbare, so now they have come out with an inadequate number of points—just two of them, neither centrally located, instead of the 15—suggested to be necessary by an Iowa State University study to make delivery on contracts reasonably possible.

Obviously aware that the two were not sufficient to quiet the demand for enough delivery points to tie the cash and future markets closely together, the board has accompanied its designation of the two alternate points with some more bait—it is still considering designation of Des Moines, Iowa, it announces.

This whole episode is simply proof that there must be full Government regulation of the commodity markets: They have no intention of self-reform beyond the minimum absolutely necessary to get by.

It does not take years to study the freight rates, necessary discounts, and transportation patterns involved in alternate point designation. There are problems, all right. But I am increasingly convinced that the biggest problem bothering the exchange, and taking so long to settle, is the question of who owns the warehouses in the cities to be designated for delivery. Is it the big grain firms that dominate the markets, or co-ops and independents that will accept and issue warehouse receipts to all who wish to deliver grain? If independents, that would make impossible the profitable market squeezes through which the sheep are shorn of their currency at the boards of trade.

The purpose of multiple delivery points is to make it possible for producers, grain elevators and other legitimate hedgers to deliver their grain and never get caught with undeliverable contracts outstanding, on which they can be required to pay whatever the longs want to extort from them.

If the exchanges are honest about wanting to be service establishments that serve a useful purpose, they would make delivery on contracts readily possible. When they duck—as the Chicago Board of Trade is doing—and limit or avoid the designation of enough delivery points to make such delivery readily possible—they are making opportunities for squeeze plays, shear the lambs, and do a disserv-

ice to producers, legitimate marketing establishments, and the consumers of the Nation.

Congress must either create a commission with authority to take control of commodity markets out of the hands of the scalpers and speculators or forbid trading entirely in commodities that present delivery problems.

NEW PROSECUTOR, FULL DISCLOSURE AND A VICE PRESIDENT NEEDED NOW

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. MILLER. Mr. Speaker, with regard to the events of this past weekend, let me first comment that the departure of Elliot Richardson and Bill Ruckelshaus is most regrettable. Both are men of great competence and high personnal integrity and have served their country well over the last 5 years.

I have long believed that an independent investigation of Watergate would not only be in the national interest but would best serve the cause of justice. I still believe that. Accordingly, if the President does not appoint a new special prosecutor with the independence to investigate and prosecute completely, the Congress should do so. The integrity of the criminal justice system is at stake and I believe that the American people should be confident in the assurance that all the truth behind Watergate will be found and those guilty of wrongdoing will be properly punished.

I have fully appreciated the President's position with respect to the confidentiality of private conversations and documents and believe that certain official acts of the President should enjoy executive privilege under the Constitution. However, at this unprecedented time in our Nation's history the President would further the national interest by granting the judicial process full access to materials relevant to criminal investigation. I am, therefore, pleased that President Nixon has decided to abide by the district and appellate court decisions and turn over the subpenaed tapes to Judge Sirica. This action should go a long way in resolving conflicting testimony and establishing in fact what the President knew and when he knew it.

There are indeed serious questions of Government credibility and viability that must be confronted. It is critcially important that reason and good judgments prevail, not the emotions of reaction. Clearly, the House of Representatives is constitutionally empowered to make certain judgments with respect to the conduct of the executive branch. However, its first responsibility now is to proceed forthwith in the consideration of confirming a new Vice President. The nomination of JERRY FORD should not be held hostage to the resolution of any other issue. The Government requires a Vice President and I believe the American people expect the Congress to discharge its duty and approve one.

In brief then, the President should appoint a new special prosecutor as soon as possible and make available all relevant White House material to the grand jury. The Congress should move swiftly in its consideration of the nomination of GERALD FORD.

Tuesday's Washington Star-News and today's Washington Post carried editorials stating that the Congress has a constitutional responsibility to confirm a new Vice President under the 25th amendment. At this point I enter the full texts of these editorials:

FORD AND THE "FIRESTORM"

The nomination of Gerald R. Ford to be vice president is in danger of becoming a casualty of the "firestorm" over the Watergate tapes. Predictions are being heard on Capitol Hill and elsewhere that his confirmation will be held hostage to the outcome of the tapes controversy, or perhaps even to the ultimate determination by Congress on whether it will or will not move for impeachment of President Nixon.

We think that would be a mistake. It would be in the best interests of the nation for the Congress to proceed with all deliberate speed to hearings on the Ford nomination and to his confirmation.

In this time of turmoil, the needs of the country demand that some order and stability be brought to the political and governmental scene. If Congress refuses to fill the vice presidential vacancy, we believe it can only add to the tension abroad in the land and to the bewilderment people feel over the events that have shaken the foundations of the republic.

A compelling reason for filling the vacancy is that last November the people, by an overwhelming margin, voted in a Republican administration. It would be a travesty if, by a quirk of fate or an action of Congress, the voters were to find themselves with a Democratic president.

No doubt many people believe that a major reason for Mr. Nixon's continued troubles over Watergate and related matters is that some Democrats, and perhaps a few Republicans, have never accepted the result of the 1972 election and are doing their best to get Mr. Nixon removed from office. Confirmation of Ford by the Democrat-controlled Congress would do much to dispel that notion, for it would put a Republican in line to succeed Mr. Nixon.

Without a vice president, the next in line of succession is House Speaker Carl Albert, a Democrat. We believe that House Minority Leader Ford has the professional, political, moral and physical qualifications for the office of vice president and to succeed to the presidency if necessary. There is less certainty in our mind concerning Albert.

Moreover, the Congress, having put in motion the 25th Amendment to the Constitution providing for presidential succession and for filling vice presidential vacancies, and having seen it approved by the states, has no right to capriciously disregard or delay unduly the procedures established in that amendment. It has no right to withhold confirmation of a vice presidential nominee because it may not like what a President is doing on another matter.

Another argument in favor of prompt action on Ford is that Congress would be in a better position to deal with its confrontation with Mr. Nixon. Having provided a presidential successor of Mr. Nixon's party, it could then stand back and look at the tapes controversy and Mr. Nixon more dispassionately.

Many scenarios can be written about what might happen as a result of Mr. Nixon's ill-considered actions of last Saturday. But we do not believe that should interfere with the confirmation of Ford, and we hope the Congress will get on with it.

THE VICE-PRESIDENTIAL VACANCY

Every political crisis produces, among other things, a rash of ill-considered statements. By way of illustration, consider the suggestion, now beng widely offered, that the Congress should delay action on the nomination of Rep. Gerald R. Ford to be Vice President. There have been arguments that Congress has no obligation to take up a nomination made by a President who faces possible impeachment proceedings. There has been talk of holding Mr. Ford as a hostage for better behavior by the President. There is the possibility—which some apparently find quite tantalizing—that the congressional Democrats, by failing to confirm Mr. Nixon's nominee, could engineer the elevation of one of their own, House Speaker Carl Albert, to the presidency if Mr. Nixon should be unable to complete his term—and thus sweep their party into a position of power it could not come even close to winning in last year's election.

The first point to note about this entire approach is that Speaker Albert quite properly is having none of it. Mr. Albert said Tuesday that the House should act on the Ford nomination quickly and that a new Vice President should certainly be confirmed before formal impeachment proceedings, if any, are begun against the President. The Speaker's concern is doubly understandable because events have placed him in a very awkward spot. As long as the vice-presidential vacancy remains, Mr. Albert faces the prospect of having to play a leading role in impeachment proceedings which could put him in the White House. Similarly, as long as his nomination is pending, Mr. Ford has such an intense and involved personal stake in the proceedings that it would, in fact, be fitting for him to take himself out of any argument over impeachment—rather than lead the defense of the President in the House, as he is now doing.

The situation is doubly entangled in the House because the Judiciary Committee must deal with not only the Ford nomination, but also the impeachment investigation and the issue of a special prosecutor. In contrast, the Senate Rules Committee is not overburdened and should be able to process the nomination expeditiously. It would be useful for the Senate to take the initiative—and to take its lead from majority whip Robert C. Byrd's statement the other day that the nomination should not be held up, but should "rise or fall" on Mr. Ford's own qualifications for the vice-presidential post.

Such calls for prompt action reflect a sound understanding of the obligations imposed on Congress by both the 25th Amendment and the current low state of political affairs. In political terms, the last thing that the country wants or needs is any more distress, disunity and narrow partisanship. All this would certainly result from an attempt to hold the nomination of Mr. Ford as hostage, either to Mr. Nixon's future performance or in anticipation of the President's impeachment. Moreover, it would be profoundly wrong—and probably self-defeating as well—to try to turn impeachment into a congressional coup d'etat which would install a Democrat in the White House. That would be precisely the sort of cynical, exploitative abuse of power which the American people are now reacting so strongly against.

In contrast, there are large national benefits in the course which Speaker Albert advocates—the prompt completion of the investigations, the hearings, the committee reports, the floor debates and the votes in both houses on the nomination of Mr. Ford.

Settling the issue of succession would remove one source of public uncertainty. It would also demonstrate that the Congress can perform responsibly at a time when a sense of responsibility is a precious commodity in public life.

Prompt action on the nomination also happens to be the only course which satisfies the letter and spirit of the 25th Amendment. The whole intent of Section II of that amendment is to insure that the nation will almost always have a Vice President—someone chosen specifically for that particular job, and able to bring both a reasonable degree of competence and some measure of continuity to the presidency if called on to assume that post. In other words, Section II of the amendment was approved so that the Speaker of the House would not henceforth be next in line to become President, except if an almost unthinkable disaster should remove both President and Vice President simultaneously from the scene. This reform acknowledged the fact that Speakers of the House, however able and experienced, are elected for a different job by a different, smaller constituency and sometimes as now, by the opposition party.

Those who favor blocking the nomination of Mr. Ford, and keeping Speaker Albert next in line, are thus urging a course which Congress and the states specifically repudiated by approving the 25th Amendment. They are also pressing a course fraught with the most dangerous kind of political mischief. It is interesting to recall that the possibility of such perilous partisan sport was discussed during the Senate floor debate on the 25th Amendment in 1965. Then Sen. Ross Bass (D-Tenn.) suggested that a Congress controlled by the opposition "would have much more of a problem in confirming the recommendations of the President if we knew . . . that one of our own people would go to the job next." The situation, Senator Bass said, "becomes a political bomb." To this Sen. Birch Bayh (D-Ind.), floor leader for the amendment, replied:

"I have more faith in the Congress acting in an emergency in the white heat of publicity, with the American people looking on. The last thing Congress would dare to do would be to become involved in a purely political move."

It is up to Congress to show that such faith was justified.

U.S. ECONOMY AND TRUCKING INDUSTRY

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. KLUCZYNSKI. Mr. Speaker, because we so often see trucks as individual units of freight movement, we sometimes tend to overlook the impact and importance of trucking as an industry.

Likewise, some of the remedies proposed for our Nation's economic and transportation problems are not viewed from the standpoint of how they would affect that industry and its ability to continue to provide vital service. This is particularly true in the case of some of the simplistic solutions offered, such as those which would measure the value of transportation service only on a basis of ton-miles.

Illuminating comments on this subject were made recently by a gentleman I have known for many years and for whose credentials in the transportation field I have great respect—Mr. Allan C. Flott, director of the department of research and transport economics of the American Trucking Associations, of Washington, D.C. Mr. Flott delivered his remarks before the symposium on truck marketing trends at Houston, Tex., on October 2, under the title, "The Trucking Industry and the U.S. Economy—A Look Ahead."

The remarks are as follows:

THE TRUCKING INDUSTRY AND THE U.S. ECONOMY—A LOOK AHEAD

(Remarks of Allan C. Flott)

By any reasonable method of measurement, trucking is the principal means of distributing the output of our complex economy to consumers.

Trucking is virtually the only means of moving goods about our cities, and it also handles the biggest part of the job of transporting them between cities.

Trucking has become the number one mover of goods in the United States because it can produce better transportation service—the kind of transportation service our economy must have if it is to maintain its position in this increasingly competitive world—for most of our economy at the lowest expenditure of resources.

Despite its efficiency—and it could be more productive were it not for certain artificial and unjustified restraints imposed upon it—it is under concerted attack from many quarters, including high government officials, as inefficient and wasteful. And there are in progress right now in Washington, plans designed not merely to stifle the growth of truck service but actually to shrink it by diverting freight from truck to railroads.

These misguided proposals are based upon the erroneous, yet deeply-rooted, belief on the part of some of our most influential planners that the task of transportation in our economy is to move tons—not goods—and that the distance they are moved somehow adds to their importance.

This is similar to the concept that the job of our farmers is to produce tons—not apples, potatoes and milk—and that our manufacturers should produce not clothing, television sets and steel—but tons. Thus, using the ton-mile or the movement of one ton—no matter what it consists of—one mile as the criterion, it is argued that truck service costs more than rail service, uses more fuel than rail service, and creates more pollution and highway congestion among other things to perform the same task as rail service. All of these conclusions are based upon invalid comparisons of truck and rail service.

Let me cite a few examples to illustrate what I am talking about. Here are some statements by Federal government spokesmen and from official government publications which illustrate the problem.

Here is one from the Office of Emergency Preparedness which appeared in its publication, "The Potential For Energy Conservation," released about a year ago:

"Enormous differences exist in the energy efficiency of the transportation modes. Airplanes are less energy-efficient than automobiles which are in turn less energy-efficient than buses and railroads for passenger movement. For freight movement, airplanes are less energy-efficient than trucks and considerably less efficient than pipelines, waterways, and railroads."

Here is another from a recent press release from the Environmental Protection Agency, which listed these "facts" and "remedies".

"Railroads carry one half of intercity freight tonnage at one tenth of the total fuel consumption . . . . promote shifting of intercity freight from highway to rail."

One final quote: In its 1972 National Transportation Report—Present Status-Future Alternative, The U.S. Department of Transportation said:

"The Nation's railroads hauled an estimated 760 billion ton-miles of cargo in 1970—37 percent of all intercity ton-miles, 35 percent of total ton-miles—to make them by far the Nation's largest freight carrier in terms of ton-miles carried. All trucking, intercity and local, for hire and private combined, carried just over 400 billion ton-miles. . . . In terms of impact on the economy, railroads are the Nation's most important intercity carrier."

I could go on and on citing similar statements from DOT, as well as Congressional staff sources, but I'm sure you are aware of the situation.

So that I am not misunderstood, I want to make it clear that I am not attacking the railroads. They are an efficient and necessary means of moving certain goods vital to the American economy. What I am attacking is the method of measuring freight transportation which suggests—actually claims—that rail and truck service can be properly compared and the role of transportation in our economy equated in terms of the number of tons moved multipled by the number of miles they are moved.

This is similar to saying that the output of our Nation's farms can be properly measured in tons and that the way to insure the most efficient use of our agricultural land, labor etc. is to favor production of crops that yield high tons per acre, man-hour, fuel and so forth. Thus, if sugar beets yield high productivity levels in tons, their production should be encouraged at the expense of producing lettuce or apples, which might yield fewer tons per acre, man-hour etc.

In order to put things into perspective, let's look at our National Transportation System as a whole and then separate it into its components. The figures I am going to use to do this are not mine. They come from a Department of Transportation publication entitled "Transportation Projections 1970–1980." I have not reviewed them critically, so don't attribute them to me. They differ from most of the statistics in this area since they presumably cover only goods moving in "commerce" and the revenue or expenditure figures are expressed in constant (1958) dollars. I use them primarily because they are all from the same source and should be comparable.

Based on this source, we find that in 1970, all forms of transportation—airway, pipeline, railway, waterway and highway—moved 8.5 billion tons of goods in commerce. Of this total, 3.2 billion tons moved in local commerce by trucks. "Commerce" is stressed because trucks perform many services in our economy which are not counted as transportation. Thus, the use of trucks in construction and trade as well as in servicing our cities—trash removal and highway maintenance, for example—are not included in these data; yet, they are responsible for many of the trucks that are on the roads.

There are several other ways in which freight transportation output is measured. The most widely used unit (misused would be a better term) of freight transportation production is the ton-mile about which I talked earlier. This is defined as the movement of one ton the distance of one mile. Using this criterion, we find that all forms of transport performed—or produced—2,063 billion ton-miles of freight service in 1970. Of this total 35 percent was performed by rails, 28 percent by water, 21 percent by pipeline, 15 percent by truck and less than 1 percent by air. Local trucking, which handled more than 37 percent of the tons, performed only 2 percent of the ton-miles. Thus, intercity transport, responsible for 63 percent of tons, produced 98 percent of ton-miles.

Transportation service is also measured in terms of revenues of carriers or, more broad-

ly, in the amount spent to move goods. When this criterion is used we find that about 40 billion dollars was spent (in 1958 dollars) to move goods in commerce in 1970. (Remember, these are all DOT figures.) Of this total 63 percent was spent for truck service, 28 percent for rail, 4 percent for pipeline, 4 percent for water, and 1 percent for air. Thus, it can be seen that a larger portion of our national transportation expenditure is made for truck service than for that of all other modes combined.

This brings us to the nub of the question. What is the proper way to measure transportation service?

Let's take a look at what happens to the relative size of the several modes when we use ton-miles on the one hand and revenues or expenditures on the other.

As I pointed out earlier, trucks produced only about 15 percent of total ton-miles, but accounted for 63 percent of the expenditures for the movement of goods in commerce. Obviously, truck service costs a lot more per ton-mile than does that provided by other forms of transport. Does this mean that truck transport is inefficient? Not on your life. What it means is that the concept of comparing different kinds of transportation in terms of ton-miles is wrong.

Let's take another look at the question of relative efficiency. If we take the total ton-miles of transportation service reported by DOT for 1970, which is 2 trillion 63 billion, and divide that figure into the $40 billion of expenditures, we find an average of 1.93 cents per ton-mile. For local trucking we find that expenditures were 26.23 cents per ton-mile. For air, it was 23.19 cents; for all intercity trucking, the rate per ton-mile was 5.46 cents; for rails, 1.54 cents; for pipeline, 0.39 cents; and for water, 0.25.

What does all this mean? Does it mean that railroads can move goods for one-fourth of truck costs or that water carriers can move freight for one-sixth of rail costs? Of course not. If it did, the answer to all our transportation problems would be simple: Just ship everything by water. The impracticality of this suggestion is readily seen. Yet those who suggest that great savings—in resources, cost, manpower, energy etc.—could be achieved by shifting freight from trucks to rail fail to recognize that for the kinds of goods they move and the kinds of service they provide, trucks are the low cost mode of transportation in every sense.

I've dwelt on this matter of the ton-mile because, as was pointed out earlier, this inappropriate measure is being widely used to "prove" that trucks are "inefficient". Unfortunately, the public generally doesn't have the technical background to see through the erroneous nature of such claims.

That means that you and I must tell the story like it is. We must point out that transportation is not a homogeneous undertaking in which a single product is involved. We must make people aware of the fact that transportation is just as widely diversified as is agriculture and manufacturing. For example, movement of iron ore cannot be properly compared with the movement of furniture in terms of cost per ton-mile.

Fortunately for the country, and for trucking, shippers know this. Demand for truck service is at an all-time high despite the campaign to impede its growth. And the demand for truck service is going to continue to increase relatively as well as absolutely for the foreseeable future.

Evidence of the strong demand for truck service is everywhere. In the first half of this year, for example, the gross revenues of the trucking companies regulated by the Interstate Commerce Commission were up about 16 percent; tons carried up about 11 percent; miles operated about the same above the levels achieved in the first half of 1972.

At this rate, the gross revenues of interstate regulated portion of the industry will reach about $21.5 billion for the year. This compares to about $15 billion for the railroads.

With so large a portion of our total transportation dollar being spent for trucking, one would expect that responsible government officials would be looking for ways in which they could help to improve the efficiency of the industry rather than foolishly seeking ways to discourage its growth.

One means of improving the efficiency of trucking, particularly intercity trucking, is readily at hand. This is to upgrade our outmoded size and weight laws. As many of you know, the U.S. Bureau of Public Roads (now the Federal Highway Administration) conducted a study at Congressional direction. This showed that our highways can accommodate—safely and economically—larger and heavier vehicles than are currently permitted under Federal and, in many cases, state laws. Lifting existing standards could go a long way toward alleviating both highway congestion and the cost crunch.

As I've said earlier, I have brought along some numbers that you might like to look at. Included in these numbers are DOT projections to 1980 for the various transport measures I've cited for 1970. You'll see from those data that even DOT expects trucking to increase its share of the total transportation market at least through 1980. Don't be confused by the differences between those figures and others I've given you. The DOT 1970 and 1980 projected figures are in 1958 dollars, whereas the others are in current dollars.

Let me sum up by saying that trucking is far and away the most important and efficient means of moving goods in this Nation and is becoming the chief means of moving goods throughout the world. Just look at our principal competitors in the world markets—Germany, Japan and even Russia. Yet, the future of trucking in America is being seriously threatened by misguided policies based upon an erroneous concept of measuring transportation service and efficiency.

If this same method, using physical standards only (weight and distance) were applied in any other segment of our economy—for example, if an attempt were made to compare the output and efficiency of a steel mill with that of a clothing manufacturer in terms of tons or cost per ton—the fallacy would be apparent to all. Yet, in transportation we find comparison of the output and cost of moving steel and clothing measured in the number of tons moved times the miles that they moved. We even compound this error by including the weight of packing material and using the miles moved rather than the distance between the points between which the goods are moved. Thus, heavier packing required to permit a shipment to withstand the rigors of movement by one mode, and wasteful circuitous miles are added to the productivity of the movement.

Remember: The United States has the best and most efficient transportation system the world has ever known. It is the only system in the world where the companies which provide the services are almost all privately owned. It achieved this level by allowing the shippers to choose the way they want to move their goods.

The trucking industry has played a significant role in the development of our system. It must be allowed to continue to contribute to our overall economic growth.

It isn't easy to dislodge long-held ideas, no matter how erroneous. It is going to take a lot of effort to overcome the idea that the ton-mile is a meaningful unit of transportation output. If intelligent decisions about our transportation system for the future are to be made, however, this must be done.

Each of us in the industry, and that includes all of you, must tell our story. We must point out the fallacious basis for the efforts to impede our growth. We and our Nation can't be allowed to adopt second best solutions to critical problems.

HOUSE SHOULD CONTINUE IMPEACHMENT INQUIRY: SEEK APPOINTMENT OF NEW SPECIAL PROSECUTOR

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, on October 23, I introduced in the House of Representatives a resolution which provides that:

Resolved, That the Committee on the Judiciary shall, as a whole or by any of its subcommittees, inquire into and investigate the official conduct of Richard M. Nixon to determine whether in the opinion of said committee he has been guilty of any high crime or misdemeanor which in the contemplation of the Constitution requires the interposition of the powers of the House of Representatives under the Constitution. The Committee on the Judiciary shall report its findings to the House of Representatives, together with such resolutions, articles of impeachment, or other recommendations as it deems proper.

The delivery of the tapes to Judge Sirica in no way should deter the House from continuing its investigation into whether the President has engaged in impeachable offenses.

Further I believe—and I told this to the Speaker—the Judiciary Committee should hire Archibald Cox as a special counsel and then immediately subpena all of Cox's records and files at the Justice Department and employ them in the committee's own investigation.

In addition, I feel strongly that a new special prosecutor should quickly be appointed by Judge Sirica or the Congress through legislative mandate, should name a new special prosecutor to continue the investigative work of the task force which was headed by Cox.

In my mind, the President still faces serious charges involving the obstruction of justice and criminal investigations, wiretapping, bribery—Vesco, the wheat and milk deals—failure to report the break-in of Ellsberg's psychiatrist office, use of CIA to cripple FBI investigations, and the submission of false reports to Congress relating to the bombing of Cambodia.

If proven, these and other charges fit with the "high crimes and misdemeanors" impeachment clause of the Constitution.

A final determination by the Judiciary Committee should be made on all charges before we can and should quiet the voices seeking impeachment of Richard Nixon.

The committee also must expeditiously consider GERALD FORD'S nomination as Vice President.

I do not believe his nomination should be tied to the committee's newest—most critical—responsibility, the inquiry into possible criminal actions by the President.

PROTECTION OF OUR FOREST LANDS IS PROTECTION OF THE ENVIRONMENT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. RARICK. Mr. Speaker, I feel that it is appropriate, during National Forest Products Week, that the Forests Subcommittee of the House Committee on Agriculture has conducted hearings to determine what legislative measures Congress can take to preserve and protect large areas of forests in this country from the ravages of insects.

Though the subcommittee was primarily concerned with the insect infestation problem on our Nation's forest lands, we were also interested in how this problem affects other agricultural crops.

The bill we considered, H.R. 10796, which has been authored by our colleague the Honorable MIKE MCCORMACK and cosponsored by 13 other Members, would authorize and direct the Administrator of the Environmental Protection Agency "to accept and approve registration applications filed with him pursuant to section 3(c)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a (c)(1)) by the U.S. Department of Agriculture for the application of DDT to forest or other agricultural lands as are, in the opinion of the Secretary of Agriculture, required for the control of and the protection against insect infestations of such lands."

The bill is designed to restore to the Secretary of Agriculture discretionary powers to provide the American farmer and forester with the best available tools to combat insect infestation and thus insure maximum production and an adequate supply of timber and other agricultural crops to meet the needs of all Americans.

We recognize that a problem of major proportions does indeed exist. We are concerned over this and wonder if we can afford to wait while alternative solutions are proposed and examined. We feel that it is not only tragic but costly that we stand by and see hundreds and thousands of acres of beautiful and valuable timberland devastated annually by insect infestation such as that facing the Nation from the ravages of the gypsy and tussock moth when we know that these pests can be controlled through the effective application of DDT. If the use of this pesticide is not made available soon, entire forests may be wiped out, with extensive secondary environmental damage.

It appears to us that we had better take a long hard look at all the alternatives, including the controlled use of DDT, before our environment is "protected" into extinction. We are concerned with excessive environmental rhetoric and believe that our concern for our environment must be balanced with a recognition of human and economic needs that must be met if we are to progress toward our goal of more and better housing for all Americans. We clearly have a problem which must be solved.

It was gratifying to see the President's concern, expressed in his proclamation of National Forest Products Week, for "the protection and renewal of our forest resources." This is precisely the aims of the Forests Subcommittee during these hearings.

Our forests lose more timber each year through devastation by insects than is lost through forest fires. The bill considered by my subcommittee would give the Department of Agriculture, and thus the Forest Service, another tool needed to protect the forest environment from further degradation by insect epidemics. When vast areas of our national forests are destroyed by insect infestation, it is clear that secondary environmental damage will occur. If we do not use the safe, effective weapons, we have to combat the destructive army of insects in our forests, the overall environment of the forests, and ultimately the entire country will suffer.

We must not allow this to happen.

I include in the RECORD the text of the President's Proclamation 4252:

PROCLAMATION 4252: NATIONAL FOREST PRODUCTS WEEK, 1973

As a Nation, we have grown increasingly dependent upon the resources of our forest lands, especially wood and wood products. As the 1970's have brought record worldwide demands for housing, pulp, paper, building materials, and furniture, Americans have become more keenly aware of the need for careful management and development of our timber resources so as to ensure a continuous supply of timber and other forest products. As Theodore Roosevelt put it many years ago, forest protection does not limit our resources but "on the contrary, gives the assurance of larger and more certain supplies."

We have also come to recognize the importance of the forest products industry to the vitality of the Nation's economy and the maintenance of our high standard of living. For example, the thousands of products that are manufactured from wood each year represent one-fifth of the industrial raw materials in the Nation. Forest products industries provide five percent of the Nation's employment, and five percent of our gross national product originates in timber based activities.

Projections for future demands of wood and wood products, both at home and abroad, indicate that consumers will want and need even more forest products in the 1980's and beyond. This means that we must give even greater attention to the protection and renewal of our forest resources. We must find better and more efficient ways to use our timber supply, ways which are consistent with our environmental values. And we must improve the technology for reclaiming and recycling forest products.

In order to give further recognition and emphasis to the importance of forest resources and forest products to the Nation, the Congress has by joint resolution of September 13, 1960 (74 Stat. 898) designated the seven-day period beginning on the third Sunday of October in each year as National Forest Products Week and has requested the President to issue an annual proclamation calling for the observance of that week.

Now, therefore, I, Richard Nixon, President of the United States of America, do hereby call upon the people of the United States to observe the week beginning October 21, 1973, as National Forest Products Week. I ask that public attention be directed through appropriate activities and ceremonies to the importance of forest products in American life and to the responsibility we have for protecting and using them in the most intelligent manner possible.

In witness whereof, I have hereunto set my hand this eighteenth day of October, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.

RICHARD NIXON.

GENE KRUPA

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. HELSTOSKI. Mr. Speaker, American jazz is a music form unique to our country. It began here, in New Orleans and Chicago, expressing the peculiarly American rhythm and drive that has made us a great nation. It became a symbol of the United States abroad, reflecting European views about our vitality.

The musicians who played this jazz are unique to our country, too. They developed the sound and the beat because they lived it. They also lived the American dream, rags to riches stories that are part of our heritage, rising from poor families to become famous and respected musicians.

American jazz has lost a man who was part of this unique set of men, a man whose drums beat out the tempo of his times. Gene Krupa, as much as any other American musician, drew people to jazz with his style: the audience not only heard the music of Gene Krupa's drums, it saw the music. From the early 1920's when he began playing in Al Gale's band and with Joe Kayser, through his work with Red Nichols, Irving Aaronson, and Buddy Rogers in the early 1930's, during his starring appearances with Benny Goodman and while leading his own bands, Gene Krupa made music on the drums, sounds with substance and continuity. His blurred hands style and chewing gum were as world famous as his Drum Boogie solo with matches on a match-box and his work on the 1936 hit, "Sing, Sing, Sing."

Mr. Speaker, I would like to join the many fans and friends of Gene Krupa in offering deepest sympathy to his children, Gene Michael and Mary Grace, and to his brother Julius. Gene Krupa's drums made America listen to itself, and we liked what we heard. Our music will miss him.

I include several news articles and the "Who's Who of Jazz" biography on Mr. Krupa's life and accomplishments:

[From the New York Times, Oct. 17, 1973]

GENE KRUPA, REVOLUTIONARY DRUMMER, DIES

(By John S. Wilson)

Gene Krupa, who changed the drummer in jazz bands from a timekeeper to a soloist through his flamboyant performances in Benny Goodman's orchestra in the nineteen-thirties, died yesterday at his home in Yonkers. He was 64 years old.

The cause of death was not announced immediately, but Mr. Krupa had been suffering from benign leukemia for the last 10

years. He had entered a hospital in Yonkers last week for treatment of a heart problem connected with his leukemia.

Mr. Krupa, whose success was due at least as much to the eye-catching image he created as it was to the sounds he produced on his drums, declared a few years ago:

"I've succeeded in doing two things. I made the drummer a high-priced guy and I was able to project enough so that people were drawn to jazz."

APPLAUSE-ROUSING STYLE

As a young man with the Goodman band, Mr. Krupa was lean, wiry and handsome. He hunched over his drums, chewing gum in vigorous tempo with the beat, a dangling lock of black hair waving back and forth in front of his eyes, which filled with an almost fiendish zest as he flailed away at his snare drum, tom-toms and cymbals. Suddenly he would rear back, holding both arms in the air as he pounded his bass drum with a foot pedal. And then, perspiration dripping from him like a tropical rainfall, his arms and drumsticks became a blur of motion as he built his solo to a crashing climax.

The cheers that filled the dance halls, nightclubs and theaters when he had finished sounded more like the response at an athletic event than a musical performance. As a result, the long drum solo quickly became a sure-fire applause rouser in jazz and has continued on through the rock era.

Despite the frenzied, flashy showmanship of his solos, Mr. Krupa tried to give them substance and continuity.

"Before I begin a solo," he told George Simon, a jazz historian who is a drummer himself, "I try to have a good idea of what I'm going to play. Then, while I'm playing, I'll hum some sort of thing to myself, something maybe like 'boom-bid-bee, boom-bid-bee, boom' and follow that with another phrase that relates to the one I just played.

FROM CHICAGO GROUP

"At the same time I keep humming to myself, so that each syllable becomes not only a separate beat, but also a separate sound. That's very important because drums, if they're to be musical, must produce sounds, not just noise. So a 'boom' could be a deep-sounding tom-tom and a 'dang' a rim shot on the snare drum and a 'paaah' could be a thin cymbal."

Mr. Krupa, who was born in Chicago on Jan. 15, 1909, came into jazz as part of a group of young musicians who were identified with "Chicago style" in the late nineteen-twenties—a group that included Benny Goodman, Eddie Condon, Bud Freeman and Jimmy McPartland, among others.

He was drumming with a band of youngsters called the Frivolians on a summer job at Wisconsin Beach near Madison, Wis., when he was 12. At 16, he entered St. Joseph's College, a preparatory seminary in Indiana to study for the priesthood, but dropped out after a year.

During the next 2 years he played in a band led by Thelma Perry, a girl bass player, in the Benson Orchestra of Chicago and in Leo Shukin's orchestra, which included Joe Sullivan, pianist, Mezz Mezzrow, saxaphonist, and Frank Teschemacher, clarinetist, all destined to become well-known jazz figures. He jammed with other young jazz-minded musicians at the Three Deuces and began to study drums with a variety of teachers.

He made his first record on Dec. 9, 1927, with the McKenzie-Condon Chicagoans, a group organized by Red McKenzie, a singer, and Mr. Condon. The Chicagoans also included Mr. Freeman, Mr. McPartland, Mr. Sullivan and Mr. Teschemacher, all of them making their recording debuts.

BROKE RECORDING TRADITION

This was one of the first recording sessions on which a bass drum had been used. Normally drummers used only small drums and wood blocks on records, because it was feared that the vibrations caused by a bass drum would cause the recording needle to jump. When Mr. Krupa innocently set up his usual equipment, including the bass drum, the recording manager rushed into the studio shouting, "You can't use those drums. Throw those drums out!"

But the musicians protested, and a compromise was reached when rugs were put down to absorb the vibrations.

"Gene beat the heck out of the drums all the way through the set," Mr. McPartland recalled, "which was fine for us because he gave us a good solid background."

During the next eight years, Mr. Krupa played in Chicago and New York, sometimes with his jazz friends in Red Nichols's or Mal Hallet's bands, more often in dance bands such as Irving Aaronson's, Russ Columbo's or Buddy Rogers. He was playing with Mr. Rogers in Chicago when he got the call to join Benny Goodman's new band in February, 1935.

DUBIOUS ABOUT CHANGE

Mr. Krupa was dubious about making the switch, because Buddy Rogers' band worked steadily, while the Goodman band, less than a year old, was a very shaky proposition that had already lost jobs at Billy Rose's Music Hall and at the Roosevelt Grill in New York. The drummer finally decided to take a chance with Mr. Goodman.

"From the time he joined us," Mr. Goodman recalled several years later, "Gene gave the band a solidity and firmness, as far as rhythm was concerned, that it never had before."

With the Goodman band, Mr. Krupa was able to put into practice some of the drummer's showmanship that he had been learning from watching Cuba Austin of McKinney's Cotton Pickers and from Chick Webb ("the most luminous of all drum stars," Mr. Krupa called Mr. Webb. "The master, the little giant of the big noise!").

His showmanship reached full flower with "Sing, Sing, Sing," a tune by Louis Prima that the Goodman band began playing early in 1936. At first this was a relatively standard Goodman-type arrangement by Jimmy Mundy, including a vocal by Helen Ward. But it was gradually extended as, midway through the performance, the band switched to Chu Berry's "Christopher Columbus" and Gene Krupa went to work on his tom-toms to create the first extended jazz drum solo.

A few months after he joined the Goodman band in 1935, Mr. Krupa took part in the first recording by the Goodman Trio, an experiment that had first been tried at a party at the home of Mildred Bailey, the singer, when Mr. Goodman, Teddy Wilson, the pianist, and Miss Bailey's nephew, a drummer, extemporized a few pieces.

Mr. Goodman liked the results so much that he decided to make some trio records, using Mr. Krupa. The success of these records not only set a style for big bands to draw small groups from the full band but pointed toward a small-group format that Mr. Krupa used in the last two decades of his career.

By early 1938, Mr. Krupa, who had become as celebrated as a drummer as Mr. Goodman was as "King of Swing," was at odds with the bandleader. Shortly after the precedent-setting concert by the Goodman band at Carnegie Hall in January, 1938, Mr. Krupa left the band and formed one of his own.

His band quickly developed a popularity that rivaled that of the Goodman band, particularly after Anita O'Day came on as vocalist and Mr. Krupa hired Roy Eldridge, a trumpet star who had been leading his own band.

SERVED JAIL TERM

Mr. Krupa's career was threatened in 1942 when he was arrested in San Francisco on a charge of possession of marijuana and served an 84-day sentence. He was released only after the chief witness against him, a valet Mr. Krupa had recently hired, recanted his testimony and the charges were dropped.

On his release, he joined Benny Goodman's band for several weeks in 1943, testing public reaction to his arrest. It seemed to be favorable to him—so favorable, in fact, that he was voted the country's outstanding drummer in January 1944. For the next six months he toured with Tommy Dorsey's orchestra and then formed a new big band of his own that, like the Dorsey band of the period, included a large string section.

The band was a disappointment to most Krupa fans, but, as he cut away the strings, it got back in a swinging groove but with new accents to accommodate the new sounds that were coming into jazz in the nineteen-forties, including arrangements by such young newcomers as Gerry Mulligan.

Mr. Krupa continued to lead his big band until 1951, when he began three years of touring with the Jazz at the Philharmonic troupe. From then on he led trios of quartets, at first featuring Charlie Ventura, a saxophonist who had been with the second of his big bands, and, from 1954 on, Eddie Shu, another saxophonist.

TEMPORARILY RETIRED

In 1960, he suffered a heart attack, and, on physician's orders, reduced his performances to six months a year. More than half of his time (18 weeks a year) was spent at the Metropole, just off Times Square. In 1967 he announced his retirement—"because I felt too lousy to play and I was sure I sounded lousy."

But three years later, chafing at his idleness, he was back at work again on a limited schedule. Last spring and summer, he made several appearances with the other members of the original Benny Goodman quartet—Mr. Goodman, Teddy Wilson and Lionel Hampton on vibraphone. They played at Carnegie Hall on the opening night of the Newport Jazz Festival in New York last June. His last appearance was with the quartet in August at Saratoga Springs, N.Y.

Mr. Krupa's first wife, Ethel, whom he married in 1933, died in 1955. He was divorced from his second wife, the former Patricia Bowler, whom he married in 1959. Survivors include two adopted children and a brother, Jules of Chicago.

A requiem mass will be held tomorrow at St. Denis Roman Catholic Church in Yonkers. The body will be flown to Chicago for burial.

[From the Washington Star-News, Oct. 17, 1973]

GENE KRUPA DIES AT 64; WAS SWING ERA DRUMMER

YONKERS, N.Y.—Jazz drummer Gene Krupa died yesterday at his home here. He was 64.

Mr. Krupa had been released from Yonkers General Hospital a week ago after undergoing treatment for heart problems associated with leukemia. Mr. Krupa had suffered from benign leukemia, for which he required periodic blood transfusions.

His last public appearance was Aug. 18 in Saratoga, N.Y., with Benny Goodman, whose band he joined in 1934.

Survivors include two adopted children and a brother, Jules, of Chicago.

Mr. Krupa suffered a heart attack in 1960, which kept him inactive for a time. He retired in 1967, but came back in 1970, leading a quartet at New York's Plaza Hotel.

Last summer, during the Newport Jazz Festival in New York, he played with the reunited Goodman quartet, including clarinetist Goodman, pianist Teddy Wilson and Lionel Hampton on the vibes.

Mr. Krupa also appeared July 4 at the renaming of the Singer Bowl in New York at Louis Armstrong Stadium. Later in the summer, Mr. Krupa gave a eulogy at the funeral of Jazz banjoist Eddie Condon.

After graduation from high school in his

native Chicago in 1925. Mr. Krupa got a summer job as a soda jerk at a Wisconsin Beach "dime-a-dance" hall. When the drummer in the dance band fainted across the soda fountain, Krupa substituted for him and played the rest of the season.

After the summer, his family sent him off to a seminary in Rensselaer, Ind., where he studied for the priesthood. The following year, after his father's death, he left the seminary to play drums in Chicago. His first records were made in 1928 with a Chicago group.

In 1929 he went to New York to play in the orchestra of George Gershwin's show "Strike Up The Band." The orchestra, said to be the first white swing band on Broadway, included Goodman, Condon and trombonist Glenn Miller, and was led by Red Nichols.

After stints with bands led by Buddy Rogers and Goodman, Mr. Krupa formed his own orchestra in 1938. He remained a band leader thereafter, except for one year—1943, when he served a six-month prison term for a narcotics conviction. After his release he was briefly with Goodman and Tommy Dorsey before reforming his own band.

[From the Washington Post, Oct. 17, 1973]

GENE KRUPA, FAMED DRUMMER, DIES AT 64

(By Jean R. Hailey)

Gene Krupa, whose frenetic drumbeat sent teenagers jitterbugging in the aisles during the swinging 1930s and 1940s, died yesterday at his home in Yonkers, N.Y. He was 64.

Mr. Krupa, one of the most famous drummers of his time, had been suffering from leukemia for the last 10 years, his agent said. He had been released about a week ago from Yonkers General Hospital after undergoing treatment for a heart condition associated with the disease.

Mr. Krupa had performed infrequently in recent years because of his illness. This summer, however, he had appeared three times with the original Benny Goodman quartet. There was Mr. Krupa on drums, Goodman on clarinet, Lionel Hampton on vibes and Teddy Wilson on piano.

They were seen and heard in Chicago and Saratoga, N.Y., and at the Newport Jazz Festival in New York's Carnegie Hall.

It was in Carnegie Hall in 1937 that the quartet introduced "Sing, Sing, Sing," a number that featured Mr. Krupa on the drums and brought him world fame. The recording of it blared for years from juke boxes across the country.

Mr. Krupa, whose hands moved so swiftly that cameras had to be speeded up to record the action, was the idol of the bobby-soxers, not only because of his rhythm that sent young people into gyrations but also because of his handsome face.

As his tempo increased, the black wavy hair fell into his eyes, his head twisted from side to side, his jaw worked at a rapid pace on the chewing gum that seemed an integral part of him.

The audience not only heard the music of Gene Krupa. It saw it.

He had personal problems. There was a marijuana conviction in the 1940s that sent him to jail.

He was both loved as a person and respected as an artist by his associates in the field of music.

"Gene was really a gentleman, a real human being and just about one of the nicest people that ever lived. He never had a bad word for anybody . . . He'll be missed and he'll certainly be remembered," Goodman, himself a gentle man, said after learning of Mr. Krupa's death.

"One of the finest persons I've ever known, as friend and in every other capacity. He was the man who popularized the drum as a solo instrument," said Wilson, one of the jazz greats on the piano.

One of Mr. Krupa's toughest rivals, drummer Buddy Rich, said:

"I feel all cracked up—really bad. Gene was very gentle, very helpful, a very understanding man. I love the guy and I think he felt the same way about me. I don't think that Gene and I ever thought of each other as being competition to each other—he played the way he played it and I play the way I play it and we tried to do the best thing we could for the art of jazz and the art of drumming."

Mr. Krupa's heyday began when he joined Benny Goodman in 1934. It was the era of the big bands, swing music and one-night ballroom stands across the country.

Goodman had many stars, Eddie Condon, Glenn Miller, Red Nichols to name a few, but Mr. Krupa was the soloist who shone the brightest at that time. In addition to "Sing, Sing, Sing," he cut such memorable discs as "Dinah" and "Tea for Two."

By 1938, he was ready to branch out with his own band and it was an immediate success. With such sidemen as Charlie Ventura, Teddy Napoleon, Roy Eldridge and Gerry Mulligan, he toured the world.

"Sing, Sing, Sing" was still going strong, but now there were other songs, "Dark Eyes," "Drum Boogie" and "Let Me Off Uptown."

He was riding high until 1943 when he was charged and found guilty of contributing to the delinquency of a minor by using his valet to transport marijuana cigarettes. He served a six-month prison term.

The enormous publicity given his case pictured him as a dope addict and he lost much of his following.

After his release, Mr. Krupa worked briefly with Goodman and then with Tommy Dorsey before again forming his own band.

Once again he toured the country on one-night stands, but the successes of the past evaded him, although he announced his own personal war against marijuana, noting that his earlier trouble had "taught me the hard way that marijuana or any drug can ruin a musician."

In the early 1950s, with the advent of rock and roll, he quit the big band business to work with small combos. His name was no longer a headliner.

In 1960, Mr. Krupa suffered a heart attack that kept him inactive for awhile and he retired in 1967. He tried a comeback in 1970 with a quartet, but that, too, went nowhere when it came to headlines.

This past summer, in addition to appearing with the Goodman quartet, he was at the renaming of the Singer Bowl in New York as Louis Armstrong Stadium, and he gave a eulogy at the funeral of Eddie Condon.

Born Eugene Bertram Krupa in Chicago, Mr. Krupa started playing drums at the age of nine. From then on and throughout his career, if he wasn't working out on actual drums, he was practicing on a pad.

After graduating from high school in Chicago, Mr. Krupa got a job as a soda jerk at a local dance hall. When the band drummer fainted, he stepped in as a substitute and was on the way.

He played with Joe Kayser's band in Chicago and then in 1928 headed for New York, where he joined Red Nichols and met Benny Goodman. The rest is history.

Besides personal appearances with other bands as well as his own, he played drums on radio and TV and in a number of films, including "Some Like It Hot," "Ball of Fire," and "Syncopation." He also played in the Broadway musicals, "Strike Up the Band" and "Girl Crazy."

A film was made of his life, with Sal Mineo playing Mr. Krupa.

He is survived by two adopted children, Gene Michael and Mary Grace, and a brother, Julius Krupa, of Chicago.

[From Who's Who of Jazz]

KRUPA, GENE (DRUMS)

Born: Chicago, Illinois, 15th January 1909.

Attended Bowen High School, later studied at St. Joseph's College in Indiana—during summer vacations played a season with 'The Frivolians' in Madison, Wisconsin. In 1925 began studying percussion with teachers Al Silverman, Ed Straight, and Roy Knapp. During that year worked with Al Gale's Band and Joe Kayser, subsequently with Leo Shukin, Thelma Terry, Mezz Mezzrow, the Benson Orchestra, Eddie Neibauer's Seattle Harmony Kings, etc. Moved to New York (1929), began working for Red Nichols, and during next two years worked mainly in theatre bands directed by Nichols.

During the early 1930s played in various commercial bands including Irving Aaronson's Russ Columbo (1932), Mal Hallet (1933), and Buddy Rogers (1934). Starred with Benny Goodman from December 1934 until February 1938, then formed own big band for debut at Steel Pier, Atlantic City, in April 1938. Continued to lead own successful band until May 1943 when circumstances outside of music forced him to disband.

In San Francisco for a short while, then returned to New York and studied harmony and composition. Rejoined Benny Goodman in September 1943 until mid-December 1943, then joined Tommy Dorsey in New York, remaining with that band until following July. Left to organise own big band which got underway late in 1944—initially it proved to be an enormous band hovering between the 30- and 40-piece mark—it settled down to a more usual formal and enjoyed wide success until 1951.

From September 1951 began to tour regularly in 'Jazz At the Philharmonic' shows—usually featured with own trio. Toured with own trio/quartet in the 1950s (including trips overseas), also appeared regularly at the Metropole, New York. Temporarily inactive in late 1960 through heart strain, then resumed leading. In June 1963 led specially formed big band in Hollywood, a year later made second visit to Japan with own quartet. From 1954 Gene and Cozy Cole ran a drum-tuition school in New York. Continued leading own small groups during the 1960s. A supposedly biographical film 'The Gene Krupa Story' (retitled 'Drum Crazy' in some countries) was released in 1959, the role of Gene Krupa was played by actor Sal Mineo—Gene recorded the soundtrack. Semi-retirement from October 1967 until leading own quartet at Hotel Plaza, N.Y. (1970). Has resumed regular playing, occasionally touring.

Film appearances include: 'George White's Scandals', 'Some Like It Hot', 'Beat The Band', 'The Benny Goodman Story', etc.

RESOLUTION DIRECTS INQUIRY INTO ACTIONS OF PRESIDENT

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. REID. Mr. Speaker, I have introduced this week a resolution which directs the House Judiciary Committee to undertake an immediate inquiry into various actions which have been taken by President Nixon, and to report back to the House within 30 days with its specific recommendations, including whether or not there exists probable cause for the House to commence formal impeachment proceedings against the President.

I think it vital that the Judiciary Committee act on these issues of importance with deliberate speed; while their consideration should not, of course, be precipitous, neither should it be protracted. The 30-day period I have proposed would, I believe, afford reasonable opportunity for a preliminary investigation.

Mr. Speaker, our country looks now to the House of Representatives for thoughtful leadership and for appropriate action. Although the President has decided to respond at least in part to the district court mandate and turn the tapes in question over to Judge Sirica, there remains the question of other related documents and memoranda which, as of this moment, the President does not plan to release. Clearly, the withholding of these documents not only could preclude prosecution of present and potential defendants of alleged crimes relating to the Watergate matter, but also could deprive present and potential defendants of access to evidence tending to establish their innocence.

The Judiciary Committee should not, of course, limit itself to the matter of the tapes or documents; in addition, I would hope that it would investigate possible invasions of civil liberties and rights of American citizens by the so-called Plumbers unit, the significance of the Huston memorandum, questions involving the personal finances of the President, and other matters which could be construed to be in violation of laws of the United States and may indeed constitute "high crimes and misdemeanors" for which the President may be subject to impeachment and conviction.

Mr. Speaker, I insert in the RECORD the full text of the resolution I have introduced. The resolution follows:

RESOLUTION

Whereas the President of the United States, Richard M. Nixon, has been ordered by the United States District Court for the District of Columbia to produce to said Court certain tapes and documents pursuant to a subpoena *duces tecum* of the Federal grand jury investigating the so-called Watergate matter; and

Whereas the order of the District Court has been affirmed by the United States Court of Appeals for the District of Columbia Circuit; and

Whereas a temporary stay of the mandate of the Court of Appeals and the order of the District Court has expired; and

Whereas since the expiration of the temporary stay, the order of the District Court has been, and continues to be, in full force and effect; and

Whereas the President has not produced the tapes and documents specified in the subpoena *duces tecum* to the District Court since the expiration of the temporary stay of the order of the District Court; and

Whereas the President ordered the Special Prosecutor, Watergate Special Prosecution Force, to desist from efforts to obtain for the Federal grand jury the tapes and documents in question, and ordered the Special Prosecutor dismissed after the Special Prosecutor announced his intention not to desist therefrom; and

Whereas the withholding of the specified tapes and documents by the President could result directly in the prevention of due prosecution of present and potential defendants for alleged crimes relating to the so-called Watergate matter; and

Whereas the President's withholding of the specified tapes and documents could, alternatively, deprive present and potential defendants of access to evidence tending to establish their innocence; and

Whereas the actions of the President recited herein above may constitute contempt of a Court of the United States, refusal by the President to "take care that the Laws be faithfully executed" as he is commanded by Article II, Section 3 of the Constitution of the United States, and obstruction of criminal investigations and of justice in violation of the laws of the United States; and

Whereas these actions may, therefore, constitute "high Crimes and Misdemeanors" within the meaning of Article II, Section 4 of the Constitution for which the President may be subject to impeachment and conviction: Now, therefore, be it

Resolved, That the Committee on the Judiciary is hereby directed immediately to undertake an inquiry to determine whether, as a result of the matters recited herein above, or of any other matters not recited herein, there exists probable cause for the House of Representatives to commence formal consideration of impeachment of the President, and, further, at the conclusion of its inquiry, but not later than thirty (30) days following enacting of this Resolution to transmit its judgment to the House, together with whatever specific recommendations it may deem appropriate.

ABOUT KILLING THE UNBORN

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. LANDGREBE. Mr. Speaker, recently an excellent essay has come to my attention on the subject of abortion written by Dr. Medford Evans, who was chief of security for the atom bomb project. The article appeared in the magazine the Review of the News about a month after the Supreme Court announced its decision in the Roe against Wade case last January I enter the article in an abridged form in the RECORD:

ABOUT KILLING THE UNBORN

(By Medford Evans)

The Supreme Court January 22, 1973, ruled that state laws forbidding abortion are unconstitutional because they interfere with the right of privacy. Not only did seven of the nine men decide to absolve women of the first duty of motherhood—to keep the child alive—they also absolved physicians of the oath of Hippocrates which had previously, for some twenty-four centuries, guided the profession. Supreme Court decisions are supposed to end controversy, but this decision will deepen, if possible, the controversy over legalizing abortion.

For the Court did not *merely* legalize abortion. It prohibited laws intended to prevent abortion. A woman and her physician are not simply *permitted* to agree upon disposing of the unborn child, states are *forbidden to interfere* with the right of the two of them to kill the unborn child. Such an agreement, says the Court, is a private matter, and any interference by law unconstitutional. Whether the woman's husband has any right to object is a point the Court avoided. He is plainly enough of less importance than her physician.

It will be said that I have already begged the question on the main point at issue—which is whether an embryo or fetus prior to the seventh month of gestation is a human being, a person susceptible of being "killed." The Court avoided deciding when life begins (a question which is difficult only for those who do not like the obvious answer), contenting itself with the observation that "the unborn have never been recognized in the law as persons in the whole sense." Neither have minor children long out of the womb. Webster defines *majority* as "the age at which full civil rights are accorded"; yet the right to life—being accorded not by the state but by God—is, or has been, in our society recognized as belonging to infants. Indeed, if there is a difference, the infant's right to life is felt to be superior to that of the adult, certainly to that of the adult male. "Women and children first" into the lifeboats. The right to life has also been accorded to unborn children. That is why the states have *had* anti-abortion laws. The denial of the unborn's right to life is what makes the Court's decision so hideously revolutionary.

It will be objected that I am guilty of some kind of anthropomorphic fallacy when I refer to an embryo or a fetus as "un unborn child," or speak of the right to life of "unborn children." Children, I shall be told, are little darlings playing joyfully on the grass, or at worst little monsters smearing crayons on the wallpaper. A *fetus* (unpleasant word, don't you think?—but so scientific!) is not a *child*, for heaven's sake!

You are entitled to your opinion, but *Webster's Third New International Dictionary* (the unabridged) gives the following definition:

child . . . 1 a: *an unborn or recently born human being: Fetus, infant, baby* . . .

Webster's Seventh New Collegiate is briefer, but almost equally embarrassing to Mr. Justice Blackmun: "child . . . 1 a: an unborn or recently born person." According to Webster, then, the unborn are not only "human beings," but also "persons." And a fetus is a child, is a baby.

According to the Associated Press, the Court's opinion was "supported with medical, religious, and philosophical as well as legal references." We should expect that—except for "religious" references. The Court has a well-established precedent for relying on social science rather than the law; yet one wonders how it reconciles *religious* references with its recent interpretations of the doctrine of the separation of church and state. I for one am glad to hear that the Court will now consider religious authority. I call its attention to a Biblical passage which it may possibly have overlooked, since its attention seems to be only recently turned to such considerations. The first chapter of the Gospel according to Saint Luke gives the story of the Annunciation of Jesus preceded by the annunication and conception of John the Baptist. We read how the angel Gabriel, having foretold to Mary the most blessed event which awaited her, continued:

And, behold, thy cousin Elisabeth, she hath also conceived a son in her old age; and this is the sixth month with her, who was called barren.

And Mary arose in those days, and . . . entered into the house of Zacharias, and saluted Elisabeth.

And it came to pass, that, when Elisabeth heard the salutation of Mary, the babe leaped in her womb. . . .

Saint Elizabeth certainly had no doubt that the child she was carrying was a live person. She told the Virgin Mary, "As soon as the voice of thy salutation sounded in mine ears, the babe leaped in my womb for joy." The unborn child not only leaped, but felt the motion of joy.

The question whether an unborn child is a person within the meaning of the law is the crux of the decision in the anti-abortion case. The Court correctly recognized this fact, but incorrectly reasoned regarding the legal meaning of *person*, and thus answered the question wrong. I speak as a friend of the court of public opinion. If it be asked how I, a nonlawyer, can dispute the correctness

of the reasoning of the Supreme Court regarding a constitutional matter, my reply is:

First, the Constitution is not what the Supreme Court says it is, the Supreme Court is what the Constitution says *it* is. Second, the Constitution itself is the basic law of the land, and the Constitution is a document written in the English language. It is too important a law to be left to the lawyers. Third, the final word on the meaning of such a document is not to be left to *any* small group of persons, but is to be approached (possibly never achieved) by the serious consideration of all reasonable men who understand English and are loyal to the United States. Fourth and finally, I am a Ph.D. in English from a reputable university (Yale) and a loyal citizen of the United States.

Here is the Court's opinion as to what constitutes the crux of the case:

The appellee [State of Texas] *and certain amici* [friends of the court] *argue that the fetus is a "person" within the language and meaning of the 14th Amendment. In support of this they outline at length and in detail the well-known facts of fetal development. If this suggestion of personhood is established, the appellant's case, of course, collapses, for the fetus' right to life is then guaranteed specifically by the Amendment.*

Exactly. We shall return to emphasize what the Court here admits, that if personhood is established the easy-abortion case collapses, and to reinforce the argument that the right to life is guaranteed, by reference other than that to the Fourteenth Amendment. But because the matter is so important, and because we do not wish to be too far out of context, let me quote further from the Court's opinion, as excerpted in the *New York Times* of January 23, 1973:

The Constitution does not define "person" in so many words. The use of the word is such that it has application only postnatally.

All this, together with our observation that throughout the major portion of the 19th century prevailing legal abortion practices were far freer than they are today, persuades us that the word "person," as used in the 14th Amendment, does not include unborn.

I suppose the *New York Times* excerpt must here be incomplete. Surely Mr. Justice Blackmun, speaking for the majority, would not say "All this," referring to the two brief sentences of the preceding paragraph. Yet if he did actually go through the Constitution accumulating instances of the use of the word *person*, the paragraph would be less, not more, impressive. Mr. Justice Blackmun's sentence, "The [*constitutional*] use of the word [*person*] is such that it has application only postnatally," actually is, if it was not intended to be, equivocation. The word *person* is used in the Constitution only to specify who is not eligible to hold specified offices, or to define immunities, such as the provision that no person shall be convicted of treason without the testimony of two witnesses to the same overt act or confession in open court, and the provision that the migration of persons whom the states at the time thought proper to admit (euphemism for slaves) should not be prohibited before 1808. There is no use of the word *person* in the Constitution which has any relevance to the question of whether an unborn child is a person when abortion of the unborn child is at issue. Yet the question can be resolved logically, as follows:

The primary meaning of the word *person* in English is a *human being*, as distinguished from an animal, plant, or thing. A person is observable, or capable of acting or being acted upon. *Person* is plainly not a synonym for *any human being who has full civil rights and liberties*. The original Constitution twice refers to slaves as persons (Article I, Section 9, Clause 1, and Article IV, Section 2, Clause 3). The Fourteenth Amendment itself indeed begins with the statement "All persons born or naturalized in the United States . . . are citizens." *Born and naturalized* are both restrictive modifiers, and do *not* mean that aliens not naturalized, or children not born, are not persons—simply that they are not citizens. But the Constitution nowhere provides that noncitizens may be freely deprived of life.

A person is a human being considered in external relations. That is why the baby in the womb seems to its mother to be a person, but hardly seems so to others until after it is born. Yet when other people deal with an unborn child, it becomes a person. It becomes a person to the physician, which is doubtless why Hippocrates proscribed abortion.

The Constitution does not enumerate all individual rights, but it assumes at least those of the Declaration of Independence, and covers, as does the Declaration, a multitude of rights with the general terms *life* and *liberty*. The Declaration speaks of "life, liberty, and the pursuit of happiness"; the Fifth and Fourteenth Amendments of the Constitution restore the earlier Lockean formula of *life, liberty,* and *property*. Liberty, being a political term, has little or no relevance to the case of an unborn child. As for pursuit of happiness, who can say? That is indeed a private, not to say a subjective, matter; the unborn child may or may not have resources of his own. So many people want to retreat to the womb, they must believe they were happy there. (But they should be careful; they might get killed.)

Regarding *property*, I should suppose (not being a lawyer, I do not know, and language and logic alone will not solve this one) that a posthumous child can inherit property, which would seem to imply rights as a person at the time of his father's death, when the child itself was yet unborn. I have heard, too, that welfare mothers have claimed benefits for unborn children.

Life and the right to life are another matter entirely. The child in the womb cannot have civil liberty, and cannot be deprived of it; he may or may not have property rights and may or may not be deprived of them; but he certainly *does* have life and *can* be deprived of it. Let us consider that for just a moment.

No one has a right to what in the nature of things he cannot possess, and not possessing cannot lose. No one has a right to that which belongs to another, or to no human being. A *right* is a just claim to possession, which may or may not be enforced, either by him whose right it is, or by his protector. Rights may in general be conferred or taken away by higher authority. Certain rights are unalienable as rights, but unfortunately quite alienable by usurpation of authority in a wicked world. It has never been said better than in the Declaration of Independence:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness—that to secure these rights, governments are instituted among men, . . .

With regard to other rights the status of the unborn child may be moot or ambiguous. But to life he has the unalienable right with which his Creator endowed him. He has this right more perfectly than he will ever have it again, for so long as he is unborn he will not be able to forfeit it through crime or other error of his own.

That the unborn child may be deprived of life by other persons puts him into relationship with these persons, and it is this relationship which makes him not only a human being, but also a person. If the unborn child were not in society, his mother and her physician could not remove him from society. Fetal death is not possible without fetal life, but if the fetus has life he has a right to it.

The Constitution is the supreme law of the land; the Declaration of Independence, ratified by the Treaty of Paris of 1783, is the basis of the Constitution. There would have been no "We, the people of the United States" without the Declaration. The Constitution itself was ordained and established to "secure the blessings of liberty to ourselves and our posterity." Thus, Constitutional rights belong to the unborn, and become real as soon as the unborn can be identified. (If a woman knows that she is pregnant—and she would have to know this to want an abortion—she knows that she ought not to have an abortion, she knows that the duty of motherhood has already begun, that someone is alive within her body, someone who has a right to life—no greater than her own, but the same. As a rule, the two rights are not irreconcilable; if they were, the human race wouldn't be here.)

"All men are created equal." If they are created equal, they are equal when they are created. When is that? The Supreme Court pretends that this is a difficult question. Difficult indeed if you expect to know in a particular case the precise microsecond when the particular life began—though even here husbands and wives who think back can in some cases figure out pretty well when it must have been.

In general terms, there is no other rational answer to the question when men are created than: *at the time the sperm fertilizes the ovum*. When else? Mr. Justice Blackmun, writing for the majority of the Court, assumes a curious know-nothing position:

We need not resolve the difficult question of when life begins. When those trained in the respective disciplines of medicine, philosophy and theology are unable to arrive at any any consensus, the judiciary, at this point in the development of man's knowledge, is not in a position to speculate as to the answer.

If that phony-sounding intellectual modesty were genuine, the judiciary would not be revolutionizing laws of the states of the Union, suborning violation of the Hippocratic oath, treating fatherhood with scarcely disguised contempt (the Texas case didn't raise the question of the rights of fathers, said the Court), and inciting mothers—rightfully the most revered of human beings—revered *because* they sacrifice themselves for their children—to quasi infanticide.

Actually, "those trained in the respective disciplines" mentioned have a pretty practical consensus regarding "when life begins." I hold no great brief for the *Encyclopaedia Britannica*, but it is not exactly eccentric in such matters, and its article "Pregnancy" reads in part as follows:

Life has its beginning in the egg cell or ovum. . . . During healthy reproductive life one ovum is shed each month from one or the other ovary (ovulation). . . . there is only a short critical interval in the cycle during which fertilization is possible. . . . If the ovum is not fertilized, it escapes in the next monthly loss of blood. If it is fertilized by a sperm cell (spermatozoon), pregnancy has begun.

Dr. Henry E. Garrett, former head of the psychology department at Columbia and president of the American Psychological Association, says in his book *Psychology And Life:* "When the egg of the female parent has been fertilized by the sperm of the male parent, life of the new individual begins." He then describes the contribution of chromosomes from each parent. When the genetic composition of an individual is determined, his life begins. Do we have to assume a know-nothing attitude about that?

It follows that every person from the time of conception has the right of equal protection of the laws, which includes the right not to be deprived of life without due process of law. Such due process might logically enough hinge upon a determination whether continuing the life of the embryo will critically endanger the life of the mother. Killing in self-

defense or in defense of another is justifiable. It is difficult to imagine any other legitimate reason for abortion. If illegitimacy were a reason, it would follow that illegitimate children not aborted before birth should be destroyed after birth. Similarly with deformed children. Indeed, infantcide for these or lesser reasons has been practiced in the history of mankind, but seldom if ever in the civilized world in the Christian Era.

"Spontaneous abortion," says the *Columbia Encyclopedia*, "may occur after the death of the fetus and hemorrhage in the uterus." According to the *Encyclopaedia Britannica*, the World Health Organization in 1950 established the following classification to account for events less precisely known as stillbirth or abortion:

. . . group I, early fetal death—pregnancy of less than 20 weeks; group II, intermediate fetal death—pregnacy from 20 to 28 weeks; group III, late fetal death—pregnancy of more than 28 weeks; group IV, fetal death with length of pregnancy unknown.

Consider the simple but powerful significance of the expressions "death of the fetus" and "fetal death" which are precise medical and legal language. The noun *death* is defined as, the end of life, the intransitive verb *die* as, to end life. The transitive verb *kill* is defined as, to cause the end of life, to deprive of life.

Accident or disease may cause death, may kill. Human action may cause death, or kill. When fetal death occurs as a result of human action, killing occurs. Killing is not necessarily murder, not necessarily manslaughter, but it is killing. If a fetus is a human being, causing the death of a fetus is homicide.

Is a fetus a human being? It is a being, it is real. If the mother is human, the fetus is human. To cause the death of a human fetus is homicide. There is no basis for asserting the contrary.

What is generally called abortion is, then, homicide. That is not to say that abortion must never be performed. Sometimes homicide is justified. But it is not justified unless it is recognized for what it is, and the action taken only under the most severe circumstances.

SPECIAL AMERICAN SYSTEM TO KEEP ISRAELIS SUPPLIED WITH JETS

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. ASPIN. Mr. Speaker, for years we have been told that the military assistance we supply and the bases we maintain in Spain and Greece are essential to protect our interests in the Middle East and especially our policy of supporting Israel. Because of the Arab-Israeli war and the U.S. decision to resupply Israel with the munitions necessary to replace losses we have found once again that our Government was not telling the truth. Far from supporting our efforts, Greece and Spain have hindered them, even going so far as to deny our aircraft carrying supplies, refueling, or even overflight rights. Consequently, we must bypass direct routes and rely on midair refueling, thereby raising costs and no doubt causing delays.

Meanwhile we continue to pump more and more arms into those dictatorships which, probably for the sake of Arab oil, are willing to disregard the interests of the United States and Israel. How can we be sure they would assist us in more serious situations such as a war in Central Europe? The answer is plain that we cannot rely on bought allies and should certainly reexamine our military assistance policies and the justification for vast U.S. overseas military bases. It seems so far that our enormous expenditures are worthless when we need the facilities and the cooperation that we thought we were buying.

I include in the RECORD an article on this subject from the New York Times of October 25, 1973:

U.S. JETS FOR ISRAEL TOOK ROUTE AROUND SOME ALLIES

(By Leslie H. Gelb)

WASHINGTON, October 24.—Diplomatic sources said today that the United States was forced to set up a special system to rush supplies to the Israelis because some of its North Atlantic Treaty Organization allies, along with Spain, balked at any cooperation.

The sources said that the refusal was based on a fear that the Arab countries would cut off Europe's oil supplies.

The resupply effort from bases in the United States, involved aircraft carriers and Air Force tanker planes, military officials disclosed.

The Navy and the Air Force had to adopt this roundabout system, the diplomats said, because—with the exception of Portugal and, to some extent, West Germany—some key Western European countries along the supply route made it clear that aircraft bound for Israel could neither land on nor fly over their territory.

A main reason cited by Washington over the years for American military aid to Greece and Turkey has been to make it possible to use bases on their territory in Middle East crises. Air Force contingency plans, according to knowledgeable sources, have looked to at least tacit Greek Government cooperation in an Arab-Israeli conflict.

The Turkish Foreign Ministry announced Oct. 11 that American military installations "are for the security and defense of the North Atlantic Treaty area and have been set up solely for defense cooperative purposes of Turkey." Nevertheless, a number of American officials report, Soviet resupply aircraft heading for Egypt and Syria have flown over Turkey and the Turkish Government has not publicly protested.

The Greek Government also ruled out any role in the supply flow to Israel.

NAVY PLAN FOR PLANES

The United States Navy had a plan for the urgent supply of A-4 Skyhawks to Israel. According to informed Congressional and Government officials, it worked in the following manner:

The Skyhawks, piloted by Navy men, took off from the East Coast and landed in the Azores to refuel. They then flew to the carrier John F. Kennedy, stationed near Gibraltar, and were refueled by tanker aircraft.

The next leg took them into the Mediterranean, where they landed on the carrier Franklin Delano Roosevelt and stayed overnight. The last leg took the Skyhawks into the eastern Mediterranean, where they refueled in the air near the carrier Independence.

Twenty to 30 Skyhawks were ferried to Israel, and 30 to 50 were sent on Navy transport ships.

The Air Force had worked out an alternative plan for the use of Greek airfields for the delivery of F-2 Phantom fighter-bombers. Government sources sketched the plan this way: The Phantoms, piloted by Air Force men, went via the Azores to the eastern Mediterranean, where they were refueled in the air by Air Force tanker planes.

About 40 have followed this route, officials say, and eight more are on the way.

The Skyhawks and the Phantoms retained their United States markings until they landed in Israel, where Israeli markings were applied. The American pilots returned home on transport planes.

Not a single incident involving these aircraft has been reported, the officials said.

The home base of the Air Force tankers used to refuel the Phantoms could not immediately be determined. Some sources asserted that during the first days they flew from the American bases in Spain. This stopped, the sources said, when the Spaniards objected. Another source, without denying that Spanish bases were used initially, said the tankers had been flying from the Azores, which are Portuguese.

Another resupply issue that remains somewhat clouded concerns West Germany. Government officials concede that in the first days of the Arab-Israeli fighting Air Force cargo planes flew from the American base at Ramstein, carrying small arms and munitions. Aviation Week, an authoritative source on such matters, says that these aicraft flew over Austria, Yugoslavia and Greece, all prohibited territory. Officials here deny this but will not suggest other possible routes.

The diplomatic effort became quite complicated, according to the diplomatic sources, with Washington and other NATO capitals jockeying to avoid open confrontation. At first it was said Washington simply decided not to raise the question of landing and flight rights, hoping its allies would look the other way.

However, the Governments of Greece, Turkey, Spain and Italy publicly forbade their territory to American aircraft. Other Governments, including that of Britain, made their positions clear privately. Portugal, was under pressure from the United States, the sources asserted, and agreed to use of the Azores base.

The sources asserted that the United States representative at NATO, Donald Rumsfeld, was asked to win support for American policy in the Middle East but was unable to do so, for the oil issue outweighed unity.

Two factors were at work in United States governmental discussions, a number of officials said:

One was that while the bulk of Soviet supplies to the Arabs were moving by sea, Hungary and Bulgaria, allies of the Soviet Union and Yugoslavia, a nonaligned nation, admitted Soviet cargo aircraft. Other airborne supplies, the sources asserted, were moved over Turkish territory either in regularly scheduled civilian aircraft or in military transport vessels.

The other factor, the sources relate, was the history of American aid to Greece, Turkey and Spain in the expectation that they would cooperate against the Russians in the Middle East.

From 1946 to 1972, according to Senate Foreign Relations Committee records, United States military aid to Greece totaled $2.3-billion, to Turkey $3.6-billion and to Spain $843-million, the figures do not take account of surplus stocks.

This year, the Nixon Administration has requested about $6-million in grant aid and support for Spain, over $250-million in various forms of military and economic aid to Turkey, and $65-million in credit sales to Greece. The requests were made, at least in part, in expectation of assistance in the Middle East.

President Nixon, responding in July, 1972 to George McGovern's criticism of aid to Greece, said that without aid to Greece and aid to Turkey you have no viable policy to save Israel.

The United States Ambassador to Greece,

Henry J. Tasca, testifying before the House Foreign Affairs Committee on the role of Greece in a Middle Eastern crisis, said in August, 1971, that Greece had been and would continue to be "very cooperative in all of our security problems."

Particularly irksome, officials say, is the Spanish Government's position, since it will not allow the United States to use the $500-million chain of American-built bases.

CONGRESSMAN KEMP HAILS 1973 PULASKI PARADE IN BUFFALO

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. KEMP. Mr. Speaker, October 11 marked the 194th anniversary of the death of Count Casimir Pulaski, the Polish nobleman and patriot of our American Revolution.

In 1777, Benjamin Franklin wrote to George Washington from Paris concerning General Pulaski praising him as: "an officer famous throughout Europe for his bravery and conduct in defense of the liberties of his country."

At General Washington's request, Pulaski formed the first American cavalry unit and because of his heroic actions, which resulted in saving Washingtons army, he was commissioned a brigadier general in charge of the Continental Army's horsemen.

Pulaski fought bravely and brilliantly in many more battles to help gain our Nation's freedom and once again saved Washington's army from near destruction near Philadelphia. On October 11, 1779, General Pulaski finally succumbed to wounds he had suffered in a particularly gallant episode at the Battle of Savannah.

Mr. Speaker, the life of General Pulaski, one of the greatest patriots and military strategists of all time, stands as an inspiration and symbol of hope to freedom-loving people everywhere—and especially to his native land of Poland which today, as in Pulaski's time, suffers under the yoke of Russian repression.

In 1971, I visited Poland along with other members of my Education and Labor Committee and during my visit I was constantly reminded of the close ties we in America have with freedom-loving people of that nation. The words of one Polish worker with whom I spoke will always stay with me: "We have rebuilt Warsaw in spite of communism." The spirit of Pulaski lives on today in Poland and that proud spirit will never be conquered.

Mr. Speaker, each year in western New York, we honor General Pulaski by having a Pulaski Day Parade in Buffalo. And each year I am sure that the parade is the best ever and cannot be excelled.

Mr. Speaker, again this year the Pulaski Day Parade was better than ever, with my distinguished colleague, Mr. DULSKI of New York, as grand marshal. It has been described as one of the largest and most successful parades of any kind ever to be held in Buffalo. There were more units, more floats, more bands, than ever before. Even facing the stiff competition of a televised Buffalo Bills football game, the parade had a record crowd of some 80,000 persons lining the streets along Broadway between Bailey and Fillmore Avenues.

My good friend, THAD DULSKI, led the parade along with our special guest Navy Capt. Paul Weitz of the Skylab I space mission. It was due to the efforts of THAD DULSKI that Captain Weitz was able to attend the parade and meet personally with many of our leading citizens.

The selection of the astronaut, Captain Weitz, as parade guest of honor, was tied in with the parade theme, "The Year of Copernicus," in honor of the celebration of the 500th birthday of Nicolaus Copernicus, the Polish genius, who boldly challenged the prevailing scientific theories of his day and through his studies provided the foundation for modern astronomy and our present day explorations of space.

The General Pulaski Association of the Niagara Frontier, Parade Chairman Eugene R. Mruk, and the Honorable THADDEUS J. DULSKI, are all to be commended for their dedicated work which made the 1973 Pulaski Day Parade one of the most memorable in the history of western New York.

Mr. Speaker, our fellow citizens of Polish heritage have made countless contributions to our Nation. I am proud that so many Polish Americans reside in my district and serve with me in Congress. Although I was unfortunately unable to attend the 1973 Pulaski Day Parade, I would like to pay tribute at this time to that great patriot and to Copernicus as we commemorate Pulaski Day and the Year of Copernicus.

Mr. Speaker, I include for the information of my colleagues, an editorial and article describing the Buffalo Pulaski Day Parade from the October 4 Am-Pol Eagle, the leading Polish-American publication of the Niagara frontier.

The material follows:

A JOB WELL DONE

The bright, sunny day helped. So did the presence of Skylab astronaut Paul J. Weitz. But when all things are considered, it was the dedicated efforts of members of the General Pulaski Association of the Niagara Frontier that made last Sunday's Pulaski Day Parade one of the most successful in memory.

Everything went perfectly during the parade. There was perfect balance between musical units, marching units and floats. There were remainders of the contributions made to mankind by parade namesake Casimir Pulaski and Polish astronomer Nicolaus Copernicus, whose quinquecentennial was the theme of this year's parade. Also much in evidence in both marchers and spectators was a pride in being Polish Americans, a feeling that seems to be renewed each year through the parade.

Much of the credit for the success of this year's parade must be given to Parade Chairman Eugene R. Mruk. Mr. Mruk devoted countless hours over the past six months making sure that Polonia's largest single annual event would be successful. Praise must also be given to Congressman Thaddeus J. Dulski, Parade Grand Marshal. whose efforts in having Capt. Weitz attend the parade contributed much to the Copernican theme of the event.

Polonia can be proud of its tribute to Casimir Pulaski and Nicolaus Copernicus. It was an event that will be remembered for many years to come. Its success will be difficult to duplicate.

PULASKI DAY PARADE HAILED AS MOST SUCCESSFUL IN MEMORY

Last Sunday's Pulaski Day Parade, blessed by sunny skies and warm temperatures, was hailed by veteran observers of Polonia's annual tribute to Revolutionary War hero Casimir Pulaski as the best and most successful in memory. Despite competition from a locally televised Buffalo Bills football game, Buffalo Police Department officials estimated that some 80,000 persons lined Broadway between Bailey and Fillmore Aves., to view the various floats and marching units participating in the parade.

Eliciting the greatest response from parade watchers were floats depicting the heroics of Gen. Pulaski and the scientific contributions of Nicolaus Copernicus, to whom this year's parade was dedicated. The "Year of Copernicus" was chosen as the theme for this Thirty-Seventh edition of the Pulaski Parade because 1973 is the 500th Anniversary of the birth of the famed Polish astronomer.

Leading the parade's line of march as it moved down Broadway were Congressman Thaddeus J. Dulski, Grand Marshal, and Navy Capt. Paul Weitz, a member of the Skylab I space mission who was a special guest at the parade in keeping with its Copernican theme.

Also in the first division were Rt. Rev. Msgr. Francis X. Wlodarczak, Honorary Grand Marshal, Parade Chairman Eugene R. Mruk, Gen. Pulaski Association President Arthur F. Kilichowski. Erie County Executive Edward V. Regan, and Lackawanna Mayor Joseph Bala.

After completing the parade's line of march, dignitaries viewed the remainder of the parade from a reviewing stand located in front of the Franczak Branch Libary. Included among the guests were three bishops: Most Rev. Daniel F. Cyganowski, Bishop of the Buffalo-Pittsburgh Diocese of the Polish National Catholic Church; Most Rev. Edward Head, DD, Bishop of the Diocese of Buffalo; and Most Rev. Bernard McLaughlin, Auxiliary Bishop of Buffalo. Also on the reviewing stand were parade chaplain Rev. Edward Kaukus, and Mayor Stanley Makowski. Edward Reska served as parade marshal.

Judges from the New York Penn Parade Judging Association selected the following units as best in their classifications:

Sr. Drum Corps—1st prize—Kingsmen Drum Corps.

Sr. Bands—1st prize—Sanborn Fire Co.; 2nd prize—Royal Canadian Legion Polish Veterans Branch 418, St. Catharines.

School and Jr. Bands—1st prize—Hinsdale Central School Band; 2nd prize—Depew H.S. Marching Band.

Pipe Bands—1st prize—Gordon Highlanders.

Uniformed Marching Units—1st prize—Hinsdale Fire Dept.; 2nd prize—Canisius College R.O.T.C.

Floats—1st prize—Holy Mother of the Rosary Cathedral—Man on the Moon Thanks to Copernicus; 2nd prize—Polish Union of America—PUA Youth Association; 3rd prize—Lechici Assoc.

Unattached Color Guard—1st prize—Baker Victory Guys and Gals; 2nd prize—Royal Rhythm Steppers; 3rd prize—Boston Amvets Post 209.

Jr. Drum Corps—1st prize—71st Lancers of Cheektowaga & Sloan; 2nd prize—Commodore Drum & Bugle Corps; 3rd prize—Polish National Alliance Youth Band; 4th prize—Mavericks Drum & Bugle Corps.

Sr. Twirling Corps—1st prize—Welland Rosettes.

Jr. Twirling Corps—2nd prize—Welland Rosettes.

Men's Drill Team—1st prize—Baker Victory.

Women's Drill Team—1st prize—Baker Victory; 2nd prize—Royal Rhythm Steppers.

Unique Units—1st prize—Erie County Parks and Recreation Sr., Citizens Unit—Kazoo Band; 2nd prize—Sacred Heart Academy—Kazoo Band.

CASE FOR IMPEACHMENT STILL STRONG AS EVER

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 1973

Mr. BROWN of California. Mr. Speaker, now that the President suddenly has reversed his public position and agreed to comply with the law—at least in part—by turning over his tapes to the court, many administration apologists are saying that the case for impeachment existed until Mr. Nixon agreed to turn over the tapes, but that his decision of Tuesday returned him to his previous status of law-abiding, unimpeachable President.

As I pointed out Tuesday, however, Richard Nixon's most recent actions—the firing of Special Prosecutor Cox and all that went with it—merely constitute a continuation of policies and attitudes that have characterized his handling of the entire Watergate affair, and, in fact, his entire administration; indeed, his entire political career. This was no isolated incident, to be forgiven and forgotten. From his first year in office, when he secretly ordered the illegal bombing of the sovereign nation of Cambodia—a country with which the United States was at peace—President Nixon has consistently violated the laws and the Constitution that he is sworn to protect.

When one thinks of the Oval Office today, one thinks of ITT entanglements, dairy industry payoffs, public financing of personal real estate improvements, illegal campaign donations, possible extortion, illegal fund impoundments, secret invasions, personal income tax difficulties, Cabinet members and high-ranking executive office staff members who have been indicted or convicted or who have resigned under fire—I could go on, but the list seems endless.

Let us keep in mind Edmund Burke's often-quoted remark that—

The only thing necessary for the triumph of evil is for good men to do nothing.

Too many of us did nothing in 1946, when Richard Nixon smeared the Honorable Jerry Voorhis and entered this body. Too many of us did nothing when Richard Nixon 4 years later was elected to the Senate by the same tactics. Too many of us did nothing in 1952 when the Checkers scandal gave us our first evidence of Nixon's willingness to bend the law for his personal political advantage.

And too many of us did nothing 10 years later when gubernatorial candidate Nixon was found by the courts to have personally reviewed, amended, and finally approved an illegal phony mailing sent out during the campaign to California's Democratic voters—a smear piece against the incumbent Democratic Governor, soliciting financial support which supposedly would go to a "Committee for the Preservation of the Democratic Party," but which in fact was designed by members of his own Republican campaign staff, which included such men as Dwight L. Chapin, Herbert Kalmbach, Ronald Ziegler, Maurice Stans, John Ehrlichman, Murray Chotiner, and, as campaign manager, H. R. Haldemann. The money these Democrats donated to what they believed was a Democratic Party organization was actually used by the Nixon campaign, of course.

Too many times, too many good men and women have done nothing. Mr. Speaker, we must not stand aside and let evil triumph once again. The fate of our beloved Nation rests in the hands of the Congress in this dark hour. We have the power to determine whether this "noble experiment" shall continue, or shall end in a Fascist dictatorship through the inaction of the people's elected representatives.

I implore every Member of this House to respond to the massive outpouring of sentiment which has erupted throughout the Nation, to respond to our own consciences, and to move forward with all necessary steps to impeach Richard Nixon before it is too late.

SENATE—*Friday, October 26, 1973*

The Senate met at 12 o'clock noon and was called to order by the Acting President pro tempore (Mr. METCALF).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God, our help in ages past, our hope for years to come, we come to Thee this day with thankful hearts for diminished violence, for the reprieve from larger wars, and for the promise of peace. Keep the warlike spirit from infecting our personal lives, the Congress, our Nation, or its leaders. Make us kindly but firm, compassionate but resolute, possessed of quiet hearts, clear minds, and sound judgment. Keep us ever sensitive to our local, our global, and our humane responsibilities. Grant to the President, his counselors, to all our leaders, and to the leaders of other nations that higher wisdom which Thou dost give to those who trust Thee and whose allegiance to Thee transcends all lesser loyalties. Once more from the depths of our being, we pray, "Thy kingdom come, Thy will be done on Earth as it is in Heaven."

We pray in the name of the Prince of Peace. Amen.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 23, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 607) to amend the Lead Based Paint Poisoning Prevention Act, and for other purposes.

The message also announced that the House insists upon its amendments to the bill (S. 386) to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas and for other purposes, disagreed to by the Senate; had agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. PATMAN, Mr. MINISH, Mr. GETTYS, Mr. HANLEY, Mr. BRASCO, Mr. KOCH, Mr. COTTER, Mr. YOUNG of Georgia, Mr. MOAKLEY, Mr. BROWN of Michigan, Mr. WIDNALL, Mr. WILLIAMS, Mr. WYLIE, Mr. CRANE, and Mr. MCKINNEY were appointed managers of the conference on the part of the House.

The message further announced that the House had passed the bill (S. 2410) to amend the Public Health Service Act to provide assistance and encouragement for the development of comprehensive area emergency medical services systems with an amendment in which it requests the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate numbered 5 to the bill (H.R. 9639) to amend the National School Lunch and Child Nutrition Acts for the purpose of providing additional Federal financial assistance to the school lunch and school breakfast programs.

The message further announced that the House had passed the following bills in which it requests the concurrence of the Senate:

H.R. 3927. An act to extend the Environmental Education Act for 3 years; and

H.R. 10586. An act to amend title 10, United States Code, to authorize the use of health maintenance organizations in providing health care.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 5943. An act to amend the law authorizing the President to extend certain privileges to representatives of member states